

**UNOFFICIAL VERSION**

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**THURSDAY, MARCH 22, 2018**

**SIXTY-SECOND LEGISLATIVE DAY**

**CALL TO ORDER**

The Senate met at 8:30 a.m., and was called to order by Mr. Speaker McNally.

**MR. SPEAKER MCNALLY RELINQUISHES CHAIR**

Mr. Speaker McNally relinquished the Chair to Former Senator Jim Tracy.

**PRAYER**

The proceedings were opened with prayer by Father William Dennler of the Church of the Holy Trinity in Nashville, Tennessee, a guest of Senator Yarbrow.

**PLEDGE OF ALLEGIANCE**

Senator Yarbrow led the Senate in the Pledge of Allegiance to the Flag.

**SALUTE TO THE FLAG OF TENNESSEE**

Senator Yarbrow led the Senate in the Salute to the Flag of Tennessee.

**SPEAKER RESUMES CHAIR**

Mr. Speaker McNally resumed the Chair.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 33

Senators present were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

**STANDING COMMITTEE REPORTS**

**FINANCE, WAYS AND MEANS**

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1758, 1763 with amendment and 1987 with amendment; and Senate Resolution No. 158.

WATSON, Chairperson  
March 20, 2018

## **THURSDAY, MARCH 22, 2018 -- 62ND LEGISLATIVE DAY**

The Speaker announced that he had referred Senate Bills Nos. 1758, 1763 with amendment and 1987 with amendment; and Senate Resolution No. 158 to the Committee on Calendar.

### **STATE AND LOCAL GOVERNMENT**

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1737 with amendment, 1894 with amendment, 2049 with amendment, 2126 with amendment, 2152 with amendment, 2166 with amendment, 2200 with amendment, 2214 with amendment, 2332 with amendment, 2333 with amendment, 2425, 2486 with amendment and 2707; also, recommend that Senate Bills Nos. 1868 and 2276 with amendment be referred to Committee on Finance, Ways and Means.

YAGER, Chairperson  
March 20, 2018

The Speaker announced that he had referred Senate Bills Nos. 1737 with amendment, 1894 with amendment, 2049 with amendment, 2126 with amendment, 2152 with amendment, 2166 with amendment, 2200 with amendment, 2214 with amendment, 2332 with amendment, 2333 with amendment, 2425, 2486 with amendment and 2707 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 1868 and 2276 with amendment to the Committee on Finance, Ways and Means.

### **JUDICIARY**

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 834 with amendment, 1915 with amendment, 2054 with amendment and 2369 with amendment; also, recommend that Senate Bills Nos. 1496 with amendment, 1661 with amendment, 2261 with amendment and 2527 be referred to Committee on Finance, Ways and Means.

KELSEY, Chairperson  
March 20, 2018

The Speaker announced that he had referred Senate Bills Nos. 834 with amendment, 1915 with amendment, 2054 with amendment and 2369 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 1496 with amendment, 1661 with amendment, 2261 with amendment and 2527 to the Committee on Finance, Ways and Means.

### **COMMERCE AND LABOR**

MR. SPEAKER: Your Committee on Commerce and Labor begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 367 with amendment, 1086 with amendment, 1732, 1869 with amendment, 1890 with amendment, 2067 with amendment, 2197 with amendment, 2212 with amendment, 2293 with amendment, 2328 with amendment, 2413 and 2458 with amendment, 2461 with amendment and 2639 with amendment; also, recommend that Senate Bills Nos. 2165 with amendment and 2565 with amendment be referred to Committee on Finance, Ways and Means; and Senate Bill No. 2172 be referred to Committee on Judiciary.

JOHNSON, Chairperson  
March 20, 2018

## **THURSDAY, MARCH 22, 2018 -- 62ND LEGISLATIVE DAY**

The Speaker announced that he had referred Senate Bills Nos. 367 with amendment, 1086 with amendment, 1732, 1869 with amendment, 1890 with amendment, 2067 with amendment, 2197 with amendment, 2212 with amendment, 2293 with amendment, 2328 with amendment, 2413, 2458 with amendment, 2461 with amendment and 2639 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 2165 with amendment and 2565 with amendment to the Committee on Finance, Ways and Means.

The Speaker announced that he had referred Senate Bill No. 2172 to the Committee on Judiciary.

### **GOVERNMENT OPERATIONS**

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1531 with amendment and 1572 with amendment; also, recommend that Senate Bill No. 1084 with amendment be referred to Committee on Judiciary; and Senate Bill No. 2287 with amendment be referred to Committee on State and Local Government.

BELL, Chairperson  
March 21, 2018

The Speaker announced that he had referred Senate Bills Nos. 1531 with amendment and 1572 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 1084 with amendment to the Committee on Judiciary.

The Speaker announced that he had referred Senate Bill No. 2287 with amendment to the Committee on State and Local Government.

### **STATE AND LOCAL GOVERNMENT**

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1596, 1597 with amendment, 1879 with amendment, 1919 with amendment, 1923, 2117, 2192 with amendment, 2443 with amendment, 2501 with amendment, 2648, 2684 with amendment and 2722 with amendment; also, recommend that Senate Bills Nos. 1476, 2519 with amendment and 2520 with amendment be referred to Committee on Finance, Ways and Means.

YAGER, Chairperson  
March 21, 2018

The Speaker announced that he had referred Senate Bills Nos. 1596, 1597 with amendment, 1879 with amendment, 1919 with amendment, 1923, 2117, 2192 with amendment, 2443 with amendment, 2501 with amendment, 2648, 2684 with amendment and 2722 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 1476, 2519 with amendment and 2520 with amendment to the Committee on Finance, Ways and Means.

## JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 647, 1921 and 1971 with amendment; also, recommend that Senate Bills Nos. 5 with amendment and 1994 with amendment be referred to Committee on Finance, Ways and Means.

KELSEY, Chairperson  
March 21, 2018

The Speaker announced that he had referred Senate Bills Nos. 647, 1921 and 1971 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 5 with amendment and 1994 with amendment to the Committee on Finance, Ways and Means.

## EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1386 with amendment, 1407 with amendment, 1618 with amendment, 1691, 1755 with amendment, 1773, 1842 with amendment, 1854 with amendment, 1901 with amendment, 1947 with amendment, 2124 with amendment, 2158 with amendment, 2196 with amendment, 2260 with amendment, 2381 with amendment, 2392 with amendment, 2586 with amendment, 2641 with amendment and 2654 with amendment; Senate Joint Resolution No. 593; and House Joint Resolution No. 723; also, recommend that Senate Bills Nos. 1502 with amendment, 1628 with amendment and 1649 with amendment be referred to Committee on Finance, Ways and Means.

GRESHAM, Chairperson  
March 21, 2018

The Speaker announced that he had referred Senate Bills Nos. 1386 with amendment, 1407 with amendment, 1618 with amendment, 1691, 1755 with amendment, 1773, 1842 with amendment, 1854 with amendment, 1901 with amendment, 1947 with amendment, 2124 with amendment, 2158 with amendment, 2196 with amendment, 2260 with amendment, 2381 with amendment, 2392 with amendment, 2586 with amendment, 2641 with amendment and 2654 with amendment; Senate Joint Resolution No. 593; and House Joint Resolution No. 723 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 1502 with amendment, 1628 with amendment and 1649 with amendment to the Committee on Finance, Ways and Means.

## MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 2740 through 2747** be passed on first consideration, which motion prevailed.

## INTRODUCTION OF BILLS

The Speaker announced the following bills were filed for introduction and passed first consideration:

**Senate Bill No. 2740** by Senator Gresham.

Grand Junction -- Subject to local approval, updates description of boundaries of City of Grand Junction; revises general powers of city government; creates staggered terms for aldermen; revises vacancy provisions governing aldermen; requires ordinances to be approved by the board two times rather than three times; makes various other changes to the City Charter. Amends Chapter 75 of the Private Acts of 1969; as amended.

**Senate Bill No. 2741** by Senator Gardenhire.

Hamilton County -- Subject to local approval, provides for the payment of certain retirement benefits of a retired Hamilton County employee to an alternate payee under a qualified domestic relations order. Amends Chapter 557 of the Private Acts of 1939.

**Senate Bill No. 2742** by Senator Swann.

Alcoa -- Subject to local approval, limits the duration of exclusive contracts to 25 years instead of 50 years; clarifies procedure for removing a city commissioner; removes requirement for commission to adopt a pay plan for city employees; increases the purchasing limit, from \$5,000 to \$10,000, that does not require a public bid; updates references to Tennessee Code Annotated; makes other various revisions. Amends Chapter 510 of the Private Acts of 1919; as amended.

**Senate Bill No. 2743** by Senator Pody.

Red Boiling Springs -- Subject to local approval, authorizes the city council of the City of Red Boiling Springs to set the city elections date by ordinance; deletes requirement that nonresidents who own taxable property within the City appear on the voting list of qualified electors eligible to vote in the Tennessee Legislative District that encompasses the City. Amends Chapter 29 of the Private Acts of 2009; as amended.

**Senate Bill No. 2744** by Senator Hensley.

Columbia -- Subject to local approval, authorizes the imposition of a fee, up to \$3.00 per square foot, on the privilege of constructing new residential, commercial, and industrial buildings. Amends Chapter 194 of the Private Acts of 1994.

**Senate Bill No. 2745** by Senator Hensley.

Maury County -- Subject to local approval, creates a county financial management system to administer the finances of the county for all funds of the various departments, agencies, and boards that are handled by the county trustee.

**Senate Bill No. 2746** by Senator Green.

Montgomery County -- Subject to local approval, increases, from 5 percent to 8 percent, the tax on the privilege of occupancy of hotels and motels; alters the allocation of revenue raised from the privilege tax. Amends Chapter 167 of the Private Acts of 1979; as amended.

**Senate Bill No. 2747** by Senator Stevens.

Henry County -- As introduced, requires nonpartisan elections for county officials in Henry County upon approval by referendum. Amends TCA Title 2, Chapter 1.

**MOTION**

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 1473, 1551, 1605, 1686, 1969, 1976, 1988, 2004, 2014, 2047, 2174, 2175, 2186, 2222, 2337, 2342, 2637 and 2693** be passed on first consideration, which motion prevailed.

**HOUSE BILLS ON FIRST CONSIDERATION**

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

**House Bill No. 1473** -- Municipal Government -- As introduced, creates an exception to the prohibition on the incorporation of an area within three miles of an existing municipality to allow an area in Hickman County to incorporate. Amends TCA Section 6-1-201.

**House Bill No. 1551** -- TennCare -- As introduced, directs commissioner to submit waiver to impose reasonable work requirements upon able-bodied working age adult enrollees without dependent children under the age of six. Amends TCA Title 71.

**House Bill No. 1605** -- Local Government, General -- As introduced, authorizes the City of Hornbeak to collect unpaid charges for municipal sewer services in the same manner as unpaid property taxes, including through the attachment of a lien against real property. Amends TCA Title 7, Chapter 35.

**House Bill No. 1686** -- Education, Curriculum -- As introduced, requires all driver education courses to include instruction on the dangers and consequences of texting while driving. Amends TCA Title 49.

**House Bill No. 1969** -- Education, Higher -- As introduced, changes, from 10 days to 10 business days, the amount of time within which a new owner or governing body must apply for a new authorization to operate after a change in ownership of a postsecondary educational institution. Amends TCA Title 49.

**House Bill No. 1976** -- Alcoholic Beverages -- As introduced, authorizes an entity licensed or applying for a license to sell alcoholic beverages for on-premises consumption to include in the entity's designation of its premises any contiguous area owned or controlled by the entity; authorizes an entity licensed to sell alcoholic beverages for on-premises consumption to serve a sample of wine to a patron or customer that does not exceed one ounce. Amends TCA Title 57, Chapter 4.

**House Bill No. 1988** -- Students -- As introduced, specifies that high school students shall receive a Scholars Prep Guide upon registering for a course, detailing information on how the student can best prepare for the course. Amends TCA Title 49, Chapter 6.

**House Bill No. 2004** -- Medical Occupations -- As introduced, establishes an opioid abuse and diversion hotline operated by the department of health; prohibits civil liability for or firing of a person who reports suspected abuse or diversion to the hotline. Amends TCA Title 50 and Title 63.

**House Bill No. 2014** -- Public Records -- As introduced, permits a licensed attorney acting on behalf of an employee of the department of correction to inspect the investigative records and reports of the internal affairs division of the department of correction prior to a due process hearing on a disciplinary action against the employee unless inspection is denied by the commissioner prior to the hearing. Amends TCA Title 10 and Title 39.

**House Bill No. 2047** -- Driver Licenses -- As introduced, clarifies that honorably discharged military veterans who elect to indicate their military service on their driver license can provide other official documentation establishing proof of service, including NGB form 22, in addition to the DD 214 form. Amends TCA Title 55, Chapter 50, Part 3.

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**House Bill No. 2174** -- Education, Curriculum -- As introduced, requires the department of education to make available on its website Bible course curriculums that may be adopted by an LEA; requires the department to notify each LEA in writing, no later than July 1 of each year, that LEAs may provide an elective Bible course and to inform each LEA of the methods available for adopting an elective Bible course curriculum. Amends TCA Title 49.

**House Bill No. 2175** -- Alcoholic Beverages -- As introduced, authorizes the City of Cedar Hill in Robertson County to hold a referendum to authorize the retail sale of alcoholic beverages in package stores and for consumption on the premises. Amends TCA Title 57, Chapter 3 and Title 57, Chapter 4.

**House Bill No. 2186** -- Alcoholic Beverages -- As introduced, designates Pine Creek Golf Course in Wilson County as a premier type tourist resort for purposes of consumption of alcoholic beverages on the premises. Amends TCA Section 57-4-102.

**House Bill No. 2222** -- Public Funds and Financing -- As introduced, allows political subdivisions with defined benefit pension plans to use actuaries that may also be members of the American Society of Pension Professionals and Actuaries or other professional organizations for actuaries, in addition to being members of the American Academy of Actuaries. Amends TCA Title 9, Chapter 3, Part 5.

**House Bill No. 2337** -- Taxes, Real Property -- As introduced, requires that a motion to claim excess tax sale proceeds be served upon "all interested persons" rather than "the parties"; revises other provisions governing notice and publication of delinquent tax sales. Amends TCA Title 67, Chapter 5.

**House Bill No. 2342** -- Advertising -- As introduced, requires the commissioner of transportation to process an application for a billboard permit within 180 days, instead of using best efforts to process the application within such time period; allows commissioner to provide applicants with an application timeline. Amends TCA Title 54, Chapter 21.

**House Bill No. 2637** -- Municipal Government -- As introduced, authorizes members of the board of commissioners in a municipality with a city manager-commission charter to attend meetings via videoconferencing; members attending via videoconferencing are present for purposes of quorum and voting. Amends TCA Title 6, Chapter 18; Title 6, Chapter 19; Title 6, Chapter 20; Title 6, Chapter 21; Title 6, Chapter 22 and Title 6, Chapter 23.

**House Bill No. 2693** -- Dickson County -- Subject to local approval, abolishes the Dickson County Highway Commission. Amends Chapter 53 of the Private Acts of 1985; as amended.

### MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bill No. 2739** be passed on second consideration and be referred to the appropriate committee or held on the Clerk's desk, which motion prevailed.

### SENATE BILL ON SECOND CONSIDERATION

The Speaker announced the following bill passed second consideration and was referred to the appropriate committee or held on the Clerk's desk:

**Senate Bill No. 2739** Local bill -- held on desk.

**MOTION**

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 761 through 776 and 778 through 786**; and **Senate Resolution No. 177** be passed on first consideration and lie over, which motion prevailed.

**INTRODUCTION OF RESOLUTIONS**

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

**Senate Joint Resolution No. 761** by Senator Niceley.  
Memorials, Interns -- Suzanne Schultz.

**Senate Joint Resolution No. 762** by Senator Pody.  
Memorials, Academic Achievement -- Faith Julianne Bambas, Valedictorian, Heritage Christian Academy.

**Senate Joint Resolution No. 763** by Senator Pody.  
Memorials, Academic Achievement -- Mark Ward, Salutatorian, Heritage Christian Academy.

**Senate Joint Resolution No. 764** by Senator Pody.  
Memorials, Academic Achievement -- Alex Pitman, Salutatorian, Mt. Juliet Christian Academy.

**Senate Joint Resolution No. 765** by Senator Pody.  
Memorials, Academic Achievement -- Will Michael Gipson, Salutatorian, McClain Christian Academy.

**Senate Joint Resolution No. 766** by Senator Pody.  
Memorials, Academic Achievement -- Marshal Evins, Salutatorian, DeKalb County High School.

**Senate Joint Resolution No. 767** by Senator Pody.  
Memorials, Recognition -- Ralph Alexander McKee, Sr., Wilson County Agricultural Hall of Fame.

**Senate Joint Resolution No. 768** by Senator Pody.  
Memorials, Recognition -- Dr. Lanas Smith, Wilson County Agricultural Hall of Fame.

**Senate Joint Resolution No. 769** by Senator Pody.  
Memorials, Academic Achievement -- Lindsey Bowman, Salutatorian, Cannon County High School.

**Senate Joint Resolution No. 770** by Senator Pody.  
Memorials, Academic Achievement -- Hannah Hudson, Valedictorian, Red Boiling Springs High School.

**Senate Joint Resolution No. 771** by Senator Pody.  
Memorials, Academic Achievement -- Caroline Hibbett, Valedictorian, Mt. Juliet Christian Academy.

**Senate Joint Resolution No. 772** by Senator Pody.  
Memorials, Academic Achievement -- Allison Maynard, Valedictorian, DeKalb County High School.



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**Senate Joint Resolution No. 773** by Senator Pody.

Memorials, Academic Achievement -- Shianne Ashford, Valedictorian, Cannon County High School.

**Senate Joint Resolution No. 774** by Senator Pody.

Memorials, Academic Achievement -- Lauren Jones, Salutatorian, Red Boiling Springs High School.

**Senate Joint Resolution No. 775** by Senator Massey.

Memorials, Retirement -- Kim Trent.

**Senate Joint Resolution No. 776** by Mr. Speaker McNally.

Memorials, Recognition -- Anderson County, Boy Scouts of America, 75th Anniversary.

**Senate Joint Resolution No. 778** by Senator Norris.

Memorials, Interns -- Eric Paul Boshers.

**Senate Joint Resolution No. 779** by Senator Ketron.

Memorials, Recognition -- Dr. Ravi Singh.

**Senate Joint Resolution No. 780** by Senator Southerland.

Memorials, Interns -- Katerina N. Cook.

**Senate Joint Resolution No. 781** by Senator Dickerson.

Memorials, Recognition -- Helen "Tootie" Haskins.

**Senate Joint Resolution No. 782** by Senator Swann.

Memorials, Public Service -- Senator J. Douglas Overbey.

**Senate Joint Resolution No. 783** by Mr. Speaker McNally and Senators Norris and Reeves.

Memorials, Retirement -- Senator Bill Ketron.

**Senate Joint Resolution No. 784** by Mr. Speaker McNally and Senators Norris, Ketron and Reeves.

Memorials, Public Service -- Senator Jim Tracy.

**Senate Joint Resolution No. 785** by Senators Crowe, Haile, Hensley, Watson, Massey, Swann, Briggs; Mr. Speaker McNally; Jackson and Kyle.

Memorials, Retirement -- Jess O. Hale.

**Senate Joint Resolution No. 786** by Senator Gresham.

Memorials, Death -- Nancy Ivy McCraw.

**Senate Resolution No. 177** by Senator Kyle.

Memorials, Sports -- Memphis Pride Mini Storm.

**MOTION**

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 743, 869, 913, 914, 921 through 933 and 935 through 951; Senate Joint Resolutions Nos. 752 through 760; and Senate Resolution No. 176** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

**RESOLUTIONS LYING OVER**

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

**House Joint Resolution No. 743** -- General Assembly, Statement of Intent or Position -- Supports making affordable housing a national priority; urges local governments to decrease regulation of new housing market to decrease regulatory costs.

The Speaker announced that he had referred House Joint Resolution No. 743 to the Committee on State and Local Government.

**House Joint Resolution No. 869** -- Memorials, Public Service -- Representative David Alexander.

The Speaker announced that he had referred House Joint Resolution No. 869 to the Committee on Calendar.

**House Joint Resolution No. 913** -- Memorials, Public Service -- Representative Raumesh Akbari.

The Speaker announced that he had referred House Joint Resolution No. 913 to the Committee on Calendar.

**House Joint Resolution No. 914** -- Memorials, Public Service -- Representative Johnnie Turner.

The Speaker announced that he had referred House Joint Resolution No. 914 to the Committee on Calendar.

**House Joint Resolution No. 921** -- Memorials, Academic Achievement -- Sydnee M. Collins, Valedictorian, Memphis Academy of Health Sciences High School.

The Speaker announced that he had referred House Joint Resolution No. 921 to the Committee on Calendar.

**House Joint Resolution No. 922** -- Memorials, Academic Achievement -- Reginald D. Willis, Salutatorian, Memphis Academy of Health Sciences High School.

The Speaker announced that he had referred House Joint Resolution No. 922 to the Committee on Calendar.

**House Joint Resolution No. 923** -- Memorials, Academic Achievement -- Jazmin Bautista Rojas, Salutatorian, Kingsbury High School.

The Speaker announced that he had referred House Joint Resolution No. 923 to the Committee on Calendar.

**House Joint Resolution No. 924** -- Memorials, Academic Achievement -- Chanteria Milner, Valedictorian, Kingsbury High School.

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The Speaker announced that he had referred House Joint Resolution No. 924 to the Committee on Calendar.

**House Joint Resolution No. 925** -- Memorials, Academic Achievement -- Hayln Brown, Salutatorian, Douglass High School.

The Speaker announced that he had referred House Joint Resolution No. 925 to the Committee on Calendar.

**House Joint Resolution No. 926** -- Memorials, Academic Achievement -- Tori Douglas, Valedictorian, Douglass High School.

The Speaker announced that he had referred House Joint Resolution No. 926 to the Committee on Calendar.

**House Joint Resolution No. 927** -- Memorials, Recognition -- Ginger Alexandra Morrow, 2018 Mule Day Queen.

The Speaker announced that he had referred House Joint Resolution No. 927 to the Committee on Calendar.

**House Joint Resolution No. 928** -- Memorials, Recognition -- Alayna Keeling, 2018 Mule Day Court, First Runner Up.

The Speaker announced that he had referred House Joint Resolution No. 928 to the Committee on Calendar.

**House Joint Resolution No. 929** -- Memorials, Recognition -- Jenny Claire Buckner, 2018 Mule Day Court, Second Runner Up.

The Speaker announced that he had referred House Joint Resolution No. 929 to the Committee on Calendar.

**House Joint Resolution No. 930** -- Memorials, Recognition -- Hallie Marshall, 2018 Mule Day Court, Third Runner Up.

The Speaker announced that he had referred House Joint Resolution No. 930 to the Committee on Calendar.

**House Joint Resolution No. 931** -- Memorials, Recognition -- Elley Colvett, 2018 Mule Day Court, Fourth Runner Up.

The Speaker announced that he had referred House Joint Resolution No. 931 to the Committee on Calendar.

**House Joint Resolution No. 932** -- Memorials, Professional Achievement -- Natalie Simms, Sevier County Primary Grades Teacher of the Year.

The Speaker announced that he had referred House Joint Resolution No. 932 to the Committee on Calendar.

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**House Joint Resolution No. 933 -- Memorials, Death -- Mayor John Coombs.**

The Speaker announced that he had referred House Joint Resolution No. 933 to the Committee on Calendar.

**House Joint Resolution No. 935 -- Memorials, Personal Occasion -- Melvin Turner, 102nd birthday.**

The Speaker announced that he had referred House Joint Resolution No. 935 to the Committee on Calendar.

**House Joint Resolution No. 936 -- Memorials, Recognition -- Pugh Family Farm, Tennessee Century Farm.**

The Speaker announced that he had referred House Joint Resolution No. 936 to the Committee on Calendar.

**House Joint Resolution No. 937 -- Memorials, Retirement -- Chief Mark Sirois, Johnson City Police Department.**

The Speaker announced that he had referred House Joint Resolution No. 937 to the Committee on Calendar.

**House Joint Resolution No. 938 -- Memorials, Recognition -- Michelle Park, Miss Black Clarksville 2018.**

The Speaker announced that he had referred House Joint Resolution No. 938 to the Committee on Calendar.

**House Joint Resolution No. 939 -- Memorials, Recognition -- Melissa Stringfellow, Governor's Volunteer Stars Award.**

The Speaker announced that he had referred House Joint Resolution No. 939 to the Committee on Calendar.

**House Joint Resolution No. 940 -- Memorials, Death -- Alma Tate.**

The Speaker announced that he had referred House Joint Resolution No. 940 to the Committee on Calendar.

**House Joint Resolution No. 941 -- Memorials, Recognition -- March 19, 2018, "Women in Public Office Day" in Tennessee.**

The Speaker announced that he had referred House Joint Resolution No. 941 to the Committee on State and Local Government.

**House Joint Resolution No. 942 -- Memorials, Heroism -- the late Mary Frances Housley.**

The Speaker announced that he had referred House Joint Resolution No. 942 to the Committee on Calendar.

**House Joint Resolution No. 943 -- Memorials, Retirement -- Barbara McGee Smith.**

The Speaker announced that he had referred House Joint Resolution No. 943 to the Committee on Calendar.

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**House Joint Resolution No. 944** -- Memorials, Recognition -- "National Day of the Cowboy," in Tennessee, July 28, 2018.

The Speaker announced that he had referred House Joint Resolution No. 944 to the Committee on State and Local Government.

**House Joint Resolution No. 945** -- Memorials, Death -- Olene Jones Hunt.

The Speaker announced that he had referred House Joint Resolution No. 945 to the Committee on Calendar.

**House Joint Resolution No. 946** -- Memorials, Recognition -- Dr. Reggie Anderson, 2018 Cheatham County Good Scout Award.

The Speaker announced that he had referred House Joint Resolution No. 946 to the Committee on Calendar.

**House Joint Resolution No. 947** -- Memorials, Recognition -- Buford L. "Booty" Reed, Jr., Dickson County 2018 Good Scout Award.

The Speaker announced that he had referred House Joint Resolution No. 947 to the Committee on Calendar.

**House Joint Resolution No. 948** -- Memorials, Academic Achievement -- Abbey Grace Burton, Salutatorian, Sale Creek High School.

The Speaker announced that he had referred House Joint Resolution No. 948 to the Committee on Calendar.

**House Joint Resolution No. 949** -- Memorials, Academic Achievement -- Brandon Dean Nessell, Valedictorian, Sale Creek High School.

The Speaker announced that he had referred House Joint Resolution No. 949 to the Committee on Calendar.

**House Joint Resolution No. 950** -- Memorials, Academic Achievement -- Milla L. Tran, Salutatorian, Ooltewah High School.

The Speaker announced that he had referred House Joint Resolution No. 950 to the Committee on Calendar.

**House Joint Resolution No. 951** -- Memorials, Academic Achievement -- Phillip Mark Dyer, Valedictorian, Ooltewah High School.

The Speaker announced that he had referred House Joint Resolution No. 951 to the Committee on Calendar.

**Senate Joint Resolution No. 752** -- Memorials, Death -- Buford Michael "Mike" Helton.

The Speaker announced that he had referred Senate Joint Resolution No. 752 to the Committee on Calendar.

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**Senate Joint Resolution No. 753** -- Memorials, Death -- Jerry Hays.

The Speaker announced that he had referred Senate Joint Resolution No. 753 to the Committee on Calendar.

**Senate Joint Resolution No. 754** -- Memorials, Death -- Vernon "Coach O" Osborne.

The Speaker announced that he had referred Senate Joint Resolution No. 754 to the Committee on Calendar.

**Senate Joint Resolution No. 755** -- Memorials, Interns -- Robert Austin Anderson.

The Speaker announced that he had referred Senate Joint Resolution No. 755 to the Committee on Calendar.

**Senate Joint Resolution No. 756** -- Memorials, Retirement -- Jimmy Moore.

The Speaker announced that he had referred Senate Joint Resolution No. 756 to the Committee on Calendar.

**Senate Joint Resolution No. 757** -- Memorials, Death -- Joe Albrecht.

The Speaker announced that he had referred Senate Joint Resolution No. 757 to the Committee on Calendar.

**Senate Joint Resolution No. 758** -- Memorials, Sports -- Upperman High School girls' basketball team, 2018 TSSAA State Champions.

The Speaker announced that he had referred Senate Joint Resolution No. 758 to the Committee on Calendar.

**Senate Joint Resolution No. 759** -- Memorials, Death -- Dr. Alan Tatum.

The Speaker announced that he had referred Senate Joint Resolution No. 759 to the Committee on Calendar.

**Senate Joint Resolution No. 760** -- General Assembly, Statement of Intent or Position -- Recognizes rare diseases and their negative impact.

The Speaker announced that he had referred Senate Joint Resolution No. 760 to the Committee on Health and Welfare.

**Senate Resolution No. 176** -- Memorials, Interns -- Zachary Ryan Watts.

The Speaker announced that he had referred Senate Resolution No. 176 to the Committee on Calendar.

**MOTION**

Senator Harper moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 940**, out of order, which motion prevailed.

**RESOLUTION LYING OVER**

**House Joint Resolution No. 940** -- Memorials, Death -- Alma Tate.

On motion of Senator Harper, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 940** was concurred in.

A motion to reconsider was tabled.

**MOTION**

Senator Yager moved that **Senate Joint Resolution No. 777** be returned to the House, which motion prevailed.

**NOTICES**

**MESSAGE FROM THE HOUSE**

March 19, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1967, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

March 19, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2264, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

March 19, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1757, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,  
Chief Clerk

**CONSENT CALENDAR**

**Senate Joint Resolution No. 730** -- Memorials, Recognition -- Dr. Phillip Kinslow, DVM, Wilson County Agricultural Hall of Fame.

**Senate Joint Resolution No. 731** -- Memorials, Recognition -- Noel Gray Yelton, Wilson County Agricultural Hall of Fame.

**Senate Joint Resolution No. 732** -- Memorials, Recognition -- Tim Bell, Larry Griffin Paramedic of the Year.

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**Senate Joint Resolution No. 733** -- Memorials, Recognition -- David Collins, 2017-2018 LifeChanger of the Year Award.

**Senate Joint Resolution No. 734** -- Memorials, Death -- Billy Walker.

**Senate Joint Resolution No. 735** -- Memorials, Recognition -- Knoxville Fire Fighters Association Local #65, 100th Anniversary.

**Senate Joint Resolution No. 736** -- Memorials, Sports -- Webb School of Knoxville girls' basketball team, TSSAA State Champions.

**Senate Joint Resolution No. 737** -- Memorials, Recognition -- Tennessee Theatre, 90th Anniversary.

**Senate Joint Resolution No. 738** -- Memorials, Sports -- Toby Lynch, TSSAA Wrestling State Champion.

**Senate Joint Resolution No. 739** -- Memorials, Public Service -- Allison Chancey.

**Senate Joint Resolution No. 740** -- Memorials, Death -- Phyllis Hopper Naylor.

**Senate Joint Resolution No. 741** -- Memorials, Sports -- Grace Christian Academy of Knoxville boys' basketball team, TSSAA State Champions.

**Senate Joint Resolution No. 742** -- Memorials, Personal Occasion -- Blanche Bell, 86th Birthday.

**Senate Joint Resolution No. 743** -- Memorials, Retirement -- David Collins.

**Senate Joint Resolution No. 744** -- Memorials, Recognition -- Tennessee Senior Stars.

**Senate Joint Resolution No. 745** -- Memorials, Personal Occasion -- Cora Lee Eads Weeks, 80th Birthday.

**Senate Joint Resolution No. 746** -- Memorials, Interns -- Jessica Blakley.

**Senate Joint Resolution No. 747** -- Memorials, Death -- George Leonard Bilbrey.

**Senate Joint Resolution No. 748** -- Memorials, Death -- Dr. B.F. Allred.

**Senate Joint Resolution No. 749** -- Memorials, Recognition -- Shelby Hughes Briggs, 2018 Tennessee Tar Wars Poster Contest.

**Senate Joint Resolution No. 750** -- Memorials, Recognition -- Stars of Greene County Schools Award recipients.

**Senate Joint Resolution No. 751** -- Memorials, Death -- Kenneth Reed Duggan.

**Senate Resolution No. 175** -- Memorials, Recognition -- Patrick "Trey" Carter III.

**House Joint Resolution No. 870** -- Memorials, Public Service -- Representative Jimmy Matlock.

**House Joint Resolution No. 874** -- Memorials, Public Service -- Representative Sheila Butt.



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**House Joint Resolution No. 918** -- Memorials, Recognition -- MasterCraft, 50th Anniversary.

**House Joint Resolution No. 919** -- Memorials, Professional Achievement -- Donna Hargrove, President of the Tennessee District Public Defenders Conference.

**House Joint Resolution No. 920** -- Memorials, Recognition -- Business Education Partnership Foundation of Rutherford County.

Senator Roberts moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes . . . . . 32  
Noes . . . . . 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Watson, Yager, Yarbro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

**CALENDAR**

Senator Roberts moved that **Senate Bill No. 1728** be rereferred to the Committee on Calendar, which motion prevailed.

**Senate Bill No. 1723** -- Textbooks -- As introduced, revises the appointment process and qualifications for membership on the state textbook and instructional materials quality commission. Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 6, Part 22.

Senator Kelsey declared Rule 13 on **Senate Bill No. 1723**.

Senator Bell moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-240(a), is amended by deleting subdivision (41).

SECTION 2. Tennessee Code Annotated, Section 4-29-241(a), is amended by inserting the following as a new subdivision:

( ) State textbook and instructional materials quality commission, created by § 49-6-2201;

SECTION 3. Tennessee Code Annotated, Section 49-6-2201, is amended by deleting the section and substituting instead the following:

(a)(1) There is created a state textbook and instructional materials quality commission composed of ten (10) members, nine (9) of whom shall be appointed as follows:

(A) The speaker of the senate shall appoint a:

(i) Director of schools; and

(ii) Teacher or instructional supervisor in the intermediate grades, grades four through eight (4-8);

(B) The speaker of the house of representatives shall appoint a:

(i) Director of schools; and

(ii) Teacher or instructional supervisor in the lower grades, grades kindergarten through three (K-3);

(C) The governor shall appoint a:

(i) Principal; and

(ii) Teacher or instructional supervisor in the upper grade subjects, grades nine through twelve (9-12);

(D)(i) The three (3) remaining members shall be citizens of this state who are not employed in the public kindergarten through grade twelve (K-12) educational system but who are knowledgeable of education issues in this state;

(ii) The citizen members listed in subdivision (a)(1)(D)(i) shall be appointed as follows:

(a) The governor shall appoint a person who resides in the western grand division of the state;

(b) The speaker of the senate shall appoint a person who resides in the eastern grand division of the state; and

(c) The speaker of the house of representatives shall appoint a person who resides in the middle grand division of the state; and

(E) If a member's initial qualification changes, the member shall be allowed to complete such member's term of appointment.

(2) The commissioner of education, or a deputy or assistant commissioner of education serving as the commissioner's designee, shall be an ex officio secretary of the commission, with the right to vote, and shall serve without additional compensation for such service.

(3) In making appointments pursuant to subdivisions (a)(1)(A)-(C), the appointing authorities shall strive to ensure that a proportionate number of persons are appointed to the commission from each grand division of the state.

(b)(1) Except as otherwise provided in subdivisions (b)(2) and (3), each appointed member shall be confirmed by joint resolution of the general assembly upon the recommendation of the education committee of the senate and the education administration and planning committee of the house of representatives in the legislative session immediately following appointment.

(2) If the general assembly is not in session at the time a member is appointed to fill a vacancy, the new appointee shall serve for the term appointed unless such appointment is not confirmed within ninety (90) calendar days after the general assembly next convenes in regular session following such appointment.

(3) If the general assembly is not in session when initial appointments are made, all initial appointments shall serve the terms prescribed pursuant to subdivision (d)(2), unless such appointments are not confirmed within ninety (90) days after the general assembly next convenes in regular session following such appointments.

(c) Except as provided in subsection (d) for initial appointments, the terms of the members of the commission shall be three (3) years.

(d)(1) The entire membership of the commission as comprised on June 30, 2018, shall be vacated on July 1, 2018, and new members shall be appointed and confirmed in accordance with subsections (a) and (b).

(2) In order to stagger the terms of the newly appointed commission members, initial appointments shall be made as follows:

(A) The persons appointed pursuant to subdivision (a)(1)(D)(ii) shall serve an initial term of one (1) year, which shall expire on June 30, 2019;

(B) The persons appointed pursuant to subdivisions (a)(1)(A)(i), (a)(1)(B)(i), and (a)(1)(C)(i) shall serve an initial term of two (2) years, which shall expire on June 30, 2020; and

(C) The persons appointed pursuant to subdivisions (a)(1)(A)(ii), (a)(1)(B)(ii), and (a)(1)(C)(ii) shall serve an initial term of three (3) years, which shall expire on June 30, 2021.

(e)(1) Following the expiration of members' initial terms as prescribed in subdivision (d)(2), all three-year terms shall begin on July 1 and terminate on June 30, three (3) years thereafter.

(2) In the event of a vacancy, the respective appointing authority shall fill the vacancy for the unexpired term.

(f) At the first regular meeting in each calendar year, the members of the commission shall elect a chair for a one-year term or until a successor is elected.

(g)(1) Before members of the commission begin to discharge their duties, they shall take and subscribe to the following oath: "I do hereby declare that I am not now directly or indirectly financially interested in, or employed by, any textbook or instructional materials publisher or agency, and that I will not become directly or indirectly financially interested in any of the proposed contracts, nor in any book or instructional materials, nor in any publishing concern handling or offering any books or other publications to the commission, of which I am a member, for listing and adoption, and I do hereby promise that I will act honestly, faithfully, and conscientiously, and in all respects will discharge my duty as a member of this commission to the best of my skill and ability."

(2) A violation of the oath taken pursuant to subdivision (g)(1) as determined by the department of education, in consultation with the commission, shall be grounds for the removal of a member by the respective appointing authority. A violation of the oath taken pursuant to subdivision (g)(1) may subject the commission member to criminal prosecution pursuant to applicable criminal statutes.

(h) The department of education shall assist the commission by providing mandatory training to newly appointed members on the textbook and instructional materials review process and the completion of their assigned tasks, including, but not limited to, the following:

(1) The delivery of quality textbook and instructional materials programs to the LEAs of the state, as fulfilled through the development of rules for the bidding and contracting of textbook and instructional materials programs;

(2) The adoption of physical standards and specifications that assure suitable durability of the textbooks, instructional materials, and supplemental materials;

(3) The review of programs bid against the academic standards approved by the state board of education;

(4) The establishment of contracts that guarantee the availability of adopted programs to all LEAs at the lowest price;

(5) The authority, responsibility, and duties of the commission, which include a review of the statutes and rules that govern the commission and the textbook and instructional materials review process;

(6) The time frame for the textbook and instructional materials review process;

(7) The process of appointing members to the advisory panels and expectations of the members of the panels;

(8) The First Amendment to the United States Constitution as it applies to the textbook and instructional materials adoption process; and

(9)(A) The goals of the textbook and instructional materials book review process. The commission shall not approve a textbook or instructional materials for adoption by LEAs unless the textbook or instructional materials:

(i) Conform to the standards for its subject area or grade level;

(ii) Are free of any clear, substantive, factual, or grammatical error; and

(iii) Comply with and reflect the values expressed in § 49-6-1028(b), if the textbook or instructional materials are being considered for adoption as a textbook or instructional materials for education of students in general studies and specifically in United States history and this nation's republican form of government.

(B) Nothing in this part prohibits the use of or applies to supplemental instructional materials.

(i)(1) No member of the commission shall receive any gift, reward, present, or emolument from any author, publisher, or distributor of textbooks or instructional materials, except copies of textbooks and instructional materials offered for listing and adoption.

(2) No member or employee of the commission shall accept any employment as agent, attorney, subagent, employee, or representative of any author, publisher, or distributor of textbooks or instructional materials during the person's term of service on the commission, nor within twelve (12) months after the expiration of the person's term of office.

(3)(A) No author, publisher, agent, attorney, employee, or representative of any author, publisher, or distributor shall give any gift, reward, present, or emolument to any member of the commission nor make any offer of employment to a member of the commission during the member's term of service whereby the member is to become the agent, employee, attorney, or representative of the author or publisher.

(B) Any contract, expressed or implied, made by any person, firm, or corporation in violation of subdivision (i)(3)(A) is declared to be illegal and void and no recovery thereon shall be had.

(4) A commission member who knowingly violates subdivision (i)(1) or (i)(2) may be subject to criminal prosecution pursuant to applicable criminal statutes.

(j) Members of the commission shall not be compensated for their services but may be reimbursed for travel expenses in accordance with the comprehensive travel regulations promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

(k)(1) Six (6) members of the commission shall constitute a quorum for the purpose of meeting and conducting business.

(2) No action of the commission shall be valid unless authorized by the affirmative vote of a majority of the members of the commission.

(3) The commission shall have two (2) regular meetings each school year to be held on the dates determined and announced by the commission. Notice of each regular meeting of the commission shall be posted on the department's website within three (3) full business days of the setting of the meeting dates.

(4) The commission may have as many special meetings as it deems necessary; provided, that in no case shall any member or members of this commission receive traveling expenses for more than three (3) special meetings in one (1) school year.

(5) Public notice of the call for the special meetings shall be made by the secretary of the commission at least ten (10) business days in advance of the date set for the special meeting and shall be posted within one (1) full business day of the call.

(6) All meetings shall be held in the office of the commissioner of education or at such place as designated by the commission.

(7) Meetings of the commission shall be made available for viewing by the public over the internet by streaming video accessible from the website of the department of education. Archived videos of the commission's meetings shall also be available to the public through the department's website.

(l)(1)(A) The commission, through its chair, may recruit and appoint an advisory panel of expert teachers and other experts in each subject area or grade level to advise the commission on textbook and instructional material selections.

(B) At least one (1) teacher shall be appointed to each advisory panel. Teachers appointed to the advisory panels shall possess a license to teach with an endorsement in the subject area or grade level for which they shall review textbooks or instructional materials.

(C) Experts, who are not public school teachers, may include college professors and credentialed subject matter specialists.

(D) All members of advisory panels must have a specific knowledge of and expertise in the content of the subject matter contained in the textbooks or instructional materials they review.

(2) The department of education shall assist the commission by providing mandatory training to members of advisory panels on the review process and the completion of their assigned tasks. The mandatory training shall include:

(A)(i) The requirements for performing a thorough review of all textbooks or instructional materials assigned to a member for review. The review shall include an examination as to whether the textbooks or instructional materials:

(a) Conform to the standards for their subject areas or grade levels;

(b) Are free of any clear, substantive, factual, or grammatical errors; and

(c) Comply with and reflect the values expressed in § 49-6-1028(b), if the textbook or instructional materials are being considered for adoption as a textbook or instructional materials for education of students in general studies and specifically in United States history and this nation's republican form of government; and

(ii) Nothing in this part prohibits the use of or applies to supplemental instructional materials;

(B) The use of any forms developed by the commission for making a review; and

(C) The time frame for completing their tasks.

(3) The advisory panelists shall individually make their recommendations and shall not be convened except upon the call of the chair of the commission. If convened, the panelists may be reimbursed from funds available to the commission for travel expenses in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

(4) The names of the reviewers, their positions, employers, and the panels on which they serve shall be identified on the department's website. The reviews of the members of an advisory panel shall be posted on the department's website without any information that would identify the reviewers.

(5) Each textbook or any instructional materials proposed for approval shall be reviewed by multiple members of the panel.

(6) Before issuing a recommendation on a textbook or on instructional materials, each advisory panelist shall review the public comments on the textbook or instructional materials posted on the department's website, pursuant to § 49-6-2203(d)(4). Each advisory panelist shall consider the public comments in making the panelist's recommendation.

(7) The commission shall evaluate all reviews submitted by the members of the advisory panel for each textbook or any instructional materials proposed for approval. The commission shall also review the public comments posted on the department's website, pursuant to § 49-6-2203(d)(4). If the reviews by the members of the advisory panel for a specific textbook or instructional materials do not lead to a clear recommendation as to the approval or rejection of the textbook or instructional materials or if the commission finds that the public comments indicate that further review of a textbook or any instructional materials is called for, then the commission shall conduct a public hearing as to whether the textbook or instructional materials should be approved. Notice of the public hearing shall be prominently posted on the home page of the department's website at least thirty (30) days prior to the meeting of the commission at which the textbook or instructional materials are to be considered.

(8) The commission is authorized to promulgate rules and regulations for the recruitment and appointment of members to the advisory panels and the process by which the members review their assigned texts.

SECTION 4. Tennessee Code Annotated, Section 49-6-2202, is amended by deleting the first sentence in subsection (a) and substituting instead the following:

It is the duty of the commission to prepare a list of standard editions of textbooks and instructional materials that cover a complete program of study for approval by the state board of education for use in the public schools of the state.

SECTION 5. Tennessee Code Annotated, Section 49-6-2202(f), is amended by deleting the subsection in its entirety.

SECTION 6. Tennessee Code Annotated, Section 49-6-2203, is amended by deleting the word "supplemental" wherever it appears and substituting instead the word "ancillary".

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1723**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	32
Noes . . . . .	0



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Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

**Senate Bill No. 1789** -- Courts, General Sessions -- As introduced, authorizes general sessions courts to permit filing, signing, and verifying documents electronically in the manner authorized by Tennessee Rules of Civil Procedure, Rule 5B. Amends TCA Title 16, Chapter 15, Part 7.

Senator Kelsey moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting the following language:

SECTION 1. Tennessee Code Annotated, Title 16, Chapter 15, Part 7, is amended by inserting the following as a new section:

Any court governed by this chapter may, by local rule, allow papers to be filed, signed, or verified by electronic means that comply with technological standards promulgated by the supreme court. Pleadings and other papers filed electronically under such local rules shall be considered the same as written papers.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1789**, as amended, passed its third and final consideration by the following vote:

Ayes .....	33
Noes .....	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

**Senate Bill No. 1794** -- Taxes, Alcoholic Beverages -- As introduced, extends by one year the manner in which liquor-by-the-drink tax proceeds are distributed to local political subdivisions. Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 49; Title 57 and Title 67.

On motion, Senate Bill No. 1794 was made to conform with **House Bill No. 1499**.

On motion, House Bill No. 1499, on same subject, was substituted for Senate Bill No. 1794.

**House Bill No. 1499** passed its third and final consideration by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

**Senate Bill No. 1814** -- Alcoholic Beverages -- As introduced, expands the locations a manufacturer may possess, store, and transport its products to include any county that has authorized the manufacture of alcoholic beverages and any county adjacent to such county; authorizes the storage of the manufacturer's products in facilities authorized or leased by the manufacturer. Amends TCA Section 57-2-104.

**Senate Bill No. 1814** passed its third and final consideration by the following vote:

Ayes .....	30
Noes .....	0
Present, not voting ...	1

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Reeves, Roberts, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

Senator present and not voting was: Pody--1.

A motion to reconsider was tabled.

**Senate Bill No. 1900** -- Special License Plates -- As introduced, authorizes surviving spouses of deceased national guard members to continue use of, or obtain formerly held, national guard license plates. Amends TCA Title 55, Chapter 4, Part 2 and Title 55, Chapter 4, Part 3.

On motion, Senate Bill No. 1900 was made to conform with **House Bill No. 1573**.

On motion, House Bill No. 1573, on same subject, was substituted for Senate Bill No. 1900.

On motion of Senator Swann, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1573** passed its third and final consideration by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg,

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Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

**Senate Bill No. 1907** -- Alcoholic Beverages -- As introduced, designates Gaylord Springs Golf Links as a premier type tourist resort for purposes of consumption of alcoholic beverages on the premises. Amends TCA Section 57-4-102.

**Senate Bill No. 1907** passed its third and final consideration by the following vote:

Ayes . . . . .	27
Noes . . . . .	2
Present, not voting . . .	1

Senators voting aye were: Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Reeves, Roberts, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--27.

Senators voting no were: Hensley and Southerland--2.

Senator present and not voting was: Pody--1.

A motion to reconsider was tabled.

**Senate Bill No. 1998** -- Alcoholic Beverages -- As introduced, designates the National Museum of African American Music as an urban park center for the purposes of on-premises consumption of alcoholic beverages. Amends TCA Section 57-4-102.

**Senate Bill No. 1998** passed its third and final consideration by the following vote:

Ayes . . . . .	27
Noes . . . . .	2
Present, not voting . . .	1

Senators voting aye were: Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Reeves, Roberts, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--27.

Senators voting no were: Hensley and Southerland--2.

Senator present and not voting was: Pody--1.

A motion to reconsider was tabled.

**Senate Bill No. 2003** -- Alcoholic Beverages -- As introduced, authorizes the manufacturing of intoxicating liquors and drinks in Lenoir City. Amends TCA Title 57.

**Senate Bill No. 2003** passed its third and final consideration by the following vote:

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Ayes . . . . . 26  
Noes . . . . . 2  
Present, not voting . . . 1

Senators voting aye were: Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Reeves, Roberts, Stevens, Swann, Tate, Yager, Yarbrow and Mr. Speaker McNally--26.

Senators voting no were: Hensley and Southerland--2.

Senator present and not voting was: Pody--1.

A motion to reconsider was tabled.

**Senate Bill No. 2075** -- Alcoholic Beverages -- As introduced, designates the Whitestone Country Inn as a premier type tourist resort for the purposes of the on-premises consumption of alcoholic beverages. Amends TCA Section 57-4-102.

**Senate Bill No. 2075** passed its third and final consideration by the following vote:

Ayes . . . . . 25  
Noes . . . . . 2  
Present, not voting . . . 2

Senators voting aye were: Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Reeves, Roberts, Stevens, Swann, Watson, Yager, Yarbrow and Mr. Speaker McNally--25.

Senators voting no were: Hensley and Southerland--2.

Senators present and not voting were: Pody and Tate--2.

A motion to reconsider was tabled.

**Senate Bill No. 2098** -- Game and Fish Laws -- As introduced, creates an exception to Class C misdemeanor offense of trafficking or possessing a live skunk for wildlife rehabilitators who hold a permit to possess wildlife. Amends TCA Section 70-4-208 and Section 70-4-404.

Senator Southerland moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting Section 1 and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 70-4-208, is amended by adding the following as a new subsection (b) and redesignating the current subsection (b) accordingly:

Notwithstanding subsection (a), a person who possesses a valid wildlife rehabilitation permit issued by the agency may receive skunks from the wild for the purposes of rehabilitation and release only.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2098**, as amended, passed its third and final consideration by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

**Senate Bill No. 2174** -- Education, Higher -- As introduced, requires governing boards of state institutions of higher education to adopt policies addressing management of student debts or obligations owed directly to the state institutions; removes a requirement that state institutions withhold diplomas, certificates of credit, or grade reports if the student has an outstanding debt to the institution of more than \$25.00. Amends TCA Title 49, Chapter 7, Part 1 and Section 49-9-108.

Senator Gresham moved to amend as follows:

#### **AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-9-108, is amended by deleting the section.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new section:

(a) As used in this section, "college system of Tennessee" means the community colleges and colleges of applied technology governed by the board of regents.

(b) As used in this section, "state universities" means:

- (1) The University of Tennessee and all its several branches;
- (2) The University of Memphis;
- (3) Tennessee State University;
- (4) Austin Peay State University;
- (5) Middle Tennessee State University;
- (6) Tennessee Technological University; and

(7) East Tennessee State University.

(c) The state universities and the college system of Tennessee are authorized to issue diplomas, certificates of credit, or official transcripts only after the student involved has satisfied all debts or obligations owed to the college or university, including, but not limited to, its bookstores, libraries, food service centers, dormitories, infirmaries, or hospitals. The limitation of this subsection (c) shall not apply to debts of less than one hundred dollars (\$100.00).

(d) The limitation in subsection (c) does not apply to debts or obligations evidenced by notes or other written contracts providing for future payment, such as, but not limited to, loans authorized under federal or state education or student assistance acts.

(e) Notwithstanding the limitation in subsection (c), the colleges in the college system of Tennessee shall issue a certificate of credit or official transcript for a student seeking admission to any college in that system if the student has entered a written agreement to satisfy the outstanding debt or obligation owed to the college issuing the certificate of credit or official transcript. Any certificate of credit or official transcript issued under this subsection (e) shall indicate that it is subject to an outstanding debt owed to the issuing college. The college receiving a certificate of credit or official transcript issued under this subsection (e) shall not subsequently issue a diploma, certificate of credit, or official transcript to that student until it receives proof that the student has satisfied the outstanding debt to the college that issued the certificate of credit or official transcript.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2174**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	32
Noes . . . . .	0

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

**Senate Bill No. 2229 -- Water Pollution --** As introduced, prohibits the department of environment and conservation from enforcing an action against a person discharging pollutants into waters of the state if the department was aware of the discharge, or if the discharge was within the reasonable contemplation of the department prior to the issuance of a final permit. Amends TCA Title 69, Chapter 3, Part 1.

Senator Southerland moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 69-3-108, is amended by adding the following as a new, appropriately designated subsection:

(1) Compliance with a national pollutant discharge elimination system (NPDES) permit issued under this section shall be deemed compliance for purposes of §§ 69-3-109; 69-3-114(a); 69-3-114(b) with respect to this part or any rule, regulation, or standard of water quality promulgated by the board; 69-3-115; 69-3-116; 69-3-117; and 69-3-118(a), except for any standard imposed under Section 307 of the Federal Water Pollution Control Act for a toxic pollutant injurious to human health.

(2) Compliance includes the discharge of pollutants for which no standard or limit is set forth in the permit if:

(A) The permit holder complies with applicable reporting and disclosure requirements under this part; and

(B) The discharge of pollutants is disclosed to the department in such a manner that the discharge is within the reasonable contemplation of the department at the time of issuance of the final permit.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2229**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 31  
Noes . . . . . 0

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

**Senate Bill No. 2244** -- Hospitals and Health Care Facilities -- As introduced, revises various provisions relative to certain health care facilities. Amends TCA Title 63 and Title 68.

Senator Crowe moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-11-207, is amended by deleting subsection (b).

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following as a new section:

**68-11-276.**

(a) The commissioner has the authority to suspend the admission of any new patients or residents to any facility or licensee in those cases where the commissioner has a factual basis upon which to believe that the conditions in any such facility or licensee are, or are likely to be, detrimental to the health, safety, or welfare of a patient or resident. For the purposes of this section, "facility or licensee" means any entity licensed under this part.

(b) The commissioner may suspend admissions pending a prompt hearing before the board, or an administrative judge if the board cannot be convened promptly.

(c) The commissioner shall initiate a suspension of admissions by delivering to the facility or licensee a notice stating the commissioner's decision to suspend the admissions of new patients. The commissioner's notice to suspend admissions must:

(1) Detail what conditions are considered detrimental to the health, safety, or welfare of the patients;

(2) Provide an explanation of the specific time frame when and conditions under which the facility or licensee can reasonably expect the suspension to be lifted; and

(3) Be received by the facility or licensee within ten (10) business days of the conclusion of the department's survey.

(d) Within ten (10) business days of the conclusion of the department's investigation, the department shall also mail to the facility or licensee the commissioner's order, which shall:

(1) Detail the alleged facts and pertinent law with particularity; and

(2) Inform the facility or licensee of its right to contest the action.

(e) The commissioner's suspension of admissions shall take effect on the next calendar day following the order provided to the facility or licensee, as provided for in subsection (d).



(f) Any facility or licensee subject to a suspension of admissions by the commissioner has the right to contest the factual or legal basis for a suspension of admission imposed against it through a prompt contested case hearing before the board, or an administrative judge if the board cannot be convened promptly.

(g) All contested cases pursuant to subsection (f) shall be conducted according to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, part 3, and shall be heard within thirty (30) days of the facility's or licensee's request for a contested case, unless otherwise agreed to by both parties.

(h) An order in all cases contesting a suspension of admissions shall be issued within ten (10) business days after the hearing contesting the suspension of admissions, regardless of whether the hearing is conducted before the board or an administrative judge. The order must determine whether the suspension of admissions was initially valid and whether conditions at the facility or licensee continue to be detrimental to the health, safety, or welfare of a patient or resident to justify the continuation of the suspension of admissions if not previously lifted.

(i) The commissioner is authorized, at any time prior to a hearing, based on information presented to the commissioner showing that such conditions have been and will continue to remain corrected, to revoke the suspension of admissions.

(j) Within ten (10) days of receiving the commissioner's order to suspend admissions, any facility or licensee for which admissions have been suspended pursuant to this section shall submit a corrective action plan to the board delineating the measures to be taken to address violations and associated time frames. If it is deemed by the board to be necessary to ensure the health, safety, and welfare of patients or residents, the commissioner may require any facility or licensee for which admissions have been suspended to take all necessary actions to correct violations immediately. The board may also set a lesser time frame than ten (10) days for the facility or licensee to submit a corrective action plan when it deems necessary to ensure the health, safety, and welfare of residents.

(k) If the facility or licensee asserts that it has corrected the underlying conditions upon which the suspension of admissions is based, or if the facility or licensee complies with the conditions for the suspension to be lifted as set forth in the commissioner's order, the department shall verify such corrections, after receiving notice and evidence of such corrections from the facility or licensee, within fourteen (14) business days unless waived by the facility or licensee.

(l) Unless other specific conditions exist that warrant an additional suspension or continuation of the suspension of admissions, the commissioner shall promptly lift the suspension of admissions upon verification by the department that the facility or licensee has corrected the underlying conditions upon which the suspension of admissions is based or complied with the conditions for the suspension to be lifted.

(m) The board has the authority to:

(1) Continue, revoke, or modify the suspension of admissions;  
and

(2) Enter such other orders as it deems necessary.

(n) For any suspension of admissions of a nursing home under this section that is accompanied by a civil penalty under part 8 of this title, the provisions of part 8 shall control to the extent there is a conflict.

SECTION 3. Tennessee Code Annotated, Section 68-11-207(f)(1), is amended by deleting the language "in subsections (a)-(e)" and substituting instead "in subsections (a)-(e) and in § 68-11-276".

SECTION 4. Tennessee Code Annotated, Section 68-11-221, is amended by deleting the language "§ 68-11-207" and substituting instead "§ 68-11-276".

SECTION 5. Tennessee Code Annotated, Section 68-11-802(a), is amended by deleting the language "§ 68-11-207(b)" and substituting instead "§ 68-11-276".

SECTION 6. Tennessee Code Annotated, Section 68-11-812, is amended by deleting the language "§ 68-11-207(b)" wherever it appears and substituting instead "§ 68-11-276".

SECTION 7. Tennessee Code Annotated, Section 68-11-813(a), is amended by deleting the language "§ 68-11-207(b)" and substituting instead "§ 68-11-276".

SECTION 8. Tennessee Code Annotated, Section 68-11-830, is amended by deleting the language "§ 68-11-207(b)" wherever it appears and substituting instead "§ 68-11-276".

SECTION 9. Tennessee Code Annotated, Section 68-11-207(j), is amended by deleting the subsection and substituting instead the following:

(j)(1) Homes for the aged, traumatic brain injury residential homes, assisted care living facilities, and adult care homes shall inform residents verbally and in writing of their right to file a complaint with the state at any time, the process for filing a complaint, and contact information for filing a complaint. The facility shall also advise residents of the availability of a long-term care ombudsman and how to contact the ombudsman for assistance. Verbal and written communication to the resident must indicate, at a minimum, that complaints regarding suspected adult abuse, neglect, or exploitation must be reported to the adult protective services program. Complaints regarding licensure must be reported to the board. All other complaints must be reported to the appropriate state designated oversight entity. Complaints received by a home for the aged, traumatic brain injury residential home, assisted care living facility, or adult care home provider regarding suspected adult abuse, neglect, exploitation, or misappropriation must be forwarded to the appropriate state oversight entity.

(2) A facility licensed pursuant to this part shall not prohibit or discourage the filing of complaints or use intimidation against any person filing a complaint.

(3) A facility licensed pursuant to this part shall not retaliate against the resident or the person acting on behalf of the resident in any way. Such nonpermissible actions include, but are not limited to:

(A) Increasing charges;

(B) Decreasing services, rights, or privileges;

(C) Taking or threatening to take any action to coerce or compel the resident to leave the facility; or

(D) Harassing, abusing, or threatening to harass or abuse a resident in any manner.

(4) Persons acting in good faith in filing a complaint are immune from any liability, civil or criminal.

(5) A facility licensed pursuant to this part shall place a resident manager, substitute caregiver, or employee against whom an allegation of abuse, neglect, or exploitation has been made on administrative leave of absence until the investigation is complete.

(6) Investigations must be completed by the appropriate state oversight entity within time frames established in applicable statutes or regulations, or as expeditiously as necessary to ensure the health, safety, and welfare of residents.

(7) Board administrative staff shall maintain a file of reported complaints. The file must include the name of the facility against whom the complaint is filed, the date the complaint is filed, the action taken by the board, if any, on the complaint, and the date of the action taken.

SECTION 10. Tennessee Code Annotated, Sections 68-11-213(e), (f), and (g), are amended by deleting the subsections and substituting instead the following:

(e) If a determination is made by the department that a facility or entity is subject to the requirements of licensure under this part, a notice shall be issued by the department stating the determination and requiring that application for licensure must be made to the department within thirty (30) days of the receipt of that notice. The thirty-day application period does not serve to waive any civil penalties that may be assessed for unlicensed operation of a facility under this part.

(f) Failure of a facility or entity requiring licensure to make application to the department for licensure within thirty (30) days from the date of the receipt of the notice may result in the initiation of injunctive relief and any other relief available in law or equity against any person who owns, operates, manages, or participates in the management of facility or entity.

(g) In addition to requiring that a facility or entity make application for licensure, the department may immediately initiate a petition for injunctive relief or any other relief available in law or equity. The department may direct the facility or entity

to immediately cease and desist operations when the health, safety, or welfare of the patients or residents requires emergency action. If the facility or entity does not comply with the directive to cease and desist, then the department may initiate proceedings for injunctive relief and any other relief available in law or equity.

SECTION 11. Tennessee Code Annotated, Section 68-11-213, is amended by deleting the subdivisions (i)(1) and (i)(2) and substituting instead the following:

(1) The department may assess a civil penalty not to exceed five thousand dollars (\$5,000) against any person or entity operating an assisted care living facility, home for the aged, adult care home, or traumatic brain injury residential home without having the license required by this chapter. Each day of operation is a separate violation.

(2) The board for licensing health care facilities is authorized to establish as part of its comprehensive system of quality assurance and enforcement a system for assessing civil monetary penalties, including appropriate due process, for assisted care living facilities, homes for the aged, adult care homes, and traumatic brain injury residential homes that are in serious violation of state laws and regulations, resulting in endangerment to the health, safety, and welfare of residents.

SECTION 12. Tennessee Code Annotated, Section 68-11-213, is amended by adding the following as new subsections:

(k)(1) After notification of deficiencies following a licensure or complaint survey, any facility licensed under this part has ten (10) days from the date of notification to submit an acceptable plan of correction. Should the facility submit a plan of correction that is deemed unacceptable by the department, then the facility has an additional ten (10) days from the date of notification that the plan of correction is unacceptable to submit an acceptable plan of correction. The department shall provide a facility with no less than three (3) opportunities to submit an acceptable plan of correction and provide clear guidelines so that the facility understands what a plan of correction must include to be deemed acceptable.

(2) If a facility is not able to submit an acceptable plan of correction after three (3) attempts, then a representative from the facility shall appear before the board and submit a plan of correction for the board's approval.

(l) After receipt of an acceptable plan of correction, the department shall promptly revisit a facility or conduct an administrative review within fourteen (14) business days, unless waived by the facility or licensee, to determine whether the cited deficiencies have been corrected in accordance with the plan. If the same or different deficiencies are cited on the third revisit survey, then the department may pursue disciplinary action against the facility before the board, including seeking reimbursement for the unrecouped costs associated with subsequent revisit surveys that were incurred by the department.

SECTION 13. Tennessee Code Annotated, Section 68-11-1003, is amended by deleting subsection (b) and substituting instead the following:

(b) The department shall also include an individual's name on the registry when it receives a copy of a criminal disposition from the Tennessee bureau of investigation or another federal, state, or local law enforcement agency, court, or criminal justice agency indicating that a criminal disposition against the named individual was the result of an offense against a vulnerable person, but only if the copy of the court's criminal disposition order indicates that:

(1) The individual was notified that, as a consequence of the conviction, the individual will be placed on the abuse registry;

(2) The offense constitutes an offense against a vulnerable person; and

(3) The court has ordered placement on the abuse registry pursuant to this part and the clerk is required to forward such judgment to the department.

SECTION 14. If any provision of this act or the application of any provision of this act to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

SECTION 15. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2244**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	31
Noes . . . . .	0

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

**Senate Bill No. 2247** -- Human Services, Dept. of -- As introduced, revises various provisions relative to public assistance. Amends TCA Title 71, Chapter 1, Part 1; Section 71-3-104; Section 71-3-105; Section 71-5-314 and Section 71-5-316.

Senator Crowe moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 71-1-105(a), is amended by adding the following as a new subdivision:

(17) When conducting any investigation pursuant to subdivision (a)(16)(A) or (a)(16)(B):

(A) Have the power to issue subpoenas to compel the attendance of witnesses, the examination of witnesses under oath, and the production of books, accounts, papers, records, and documents relating to an investigation, provided that.

(i) The materials to be produced are relevant to the investigation;

(ii) The materials to be produced are specified with reasonable particularity; and

(iii) The subpoenas command production of the materials covering only a reasonable period of time;

(B) Have the power to compel the production of employment records during an investigation. For purposes of this subdivision (a)(17)(B), "employment records" includes records of future, past, or present employees who are applying for or have received a form of public assistance or are members of the household of a person who is applying for or has received a form of public assistance from this state or another state;

(C) Have the authority to refer any matter to the appropriate enforcement authority for criminal prosecution;

(D) Have the authority to refer any matter to the appropriate enforcement authorities for civil proceedings, including, but not limited to, referral to the attorney general and reporter for civil recovery;

(E) Have the authority to cooperate with other state agencies to investigate fraud and abuse in programs administered by the department;

(F) Have the authority to furnish information to educate the public about the fraud and abuse laws pertaining to programs administered by the department; and

(G) Have the authority to contract with entities as necessary to carry out the required duties of subdivisions (a)(17)(C)-(F);

SECTION 2. Tennessee Code Annotated, Title 71, Chapter 1, Part 1, is amended by adding the following new section:

**71-1-116.**

(a)(1) If a person, firm, or corporation subpoenaed pursuant to authority granted pursuant to § 71-1-105(a)(17)(A) fails to comply with the subpoena, after reasonable notice to the person, firm, or corporation, the department may seek judicial enforcement of the

subpoena by filing, through the attorney general and reporter, a petition with the circuit or chancery court of Davidson County or of the judicial district in which such person, firm, or corporation resides.

(2) A petition filed pursuant to subdivision (a)(1) must incorporate or be accompanied by a certification regarding the notice given and the failure of such person, firm, or corporation to attend or produce the items requested.

(3) Upon the filing of a petition pursuant to subdivision (a)(1) in the proper form, the court shall order the person, firm, or corporation named in the petition to appear and show cause why the person, firm, or corporation should not be required to comply with the subpoena or be held in contempt for failure to comply. The court may employ all judicial power provided by law to compel compliance with a subpoena requested pursuant to subdivision (a)(1), including the powers granted in §§ 29-9-103 - 29-9-106. The court is authorized to impose costs and sanctions against any person, firm, or corporation against whom a petition is filed pursuant to subdivision (a)(1) in the same manner and on the same bases as may be imposed for failure to comply with judicially issued subpoenas under the Tennessee Rules of Civil Procedure. The court may order the person, firm, or corporation to comply with the subpoena and may punish each day of noncompliance with the order as a separate contempt of court.

(4) The subpoena enforcement remedies set forth in subdivision (a)(3) are cumulative and not exclusive of any other remedies provided by law.

(b) Employment records, as defined in § 71-1-105(a)(17)(B), shall be open to inspection and copying by a department representative at any reasonable time and as often as may be necessary.

(c) The department shall also have the right to compare information reported to the department by applicants or recipients with data maintained by the credit bureaus.

SECTION 3. Tennessee Code Annotated, Section 71-3-104(b), is amended by adding the following as a new subdivision (3):

(3)(A) A family that becomes financially ineligible for temporary assistance due to an increase in a caretaker relative's earned income, but continues to meet all other eligibility criteria, including compliance with the program's work requirements, shall be eligible for transitional temporary assistance for no more than six (6) months.

(B) The amount of the transitional temporary assistance shall be based upon the family's income and household size.

(C) Receipt of transitional temporary assistance shall count toward the recipient's maximum time limit under subsection (d).

(D) The department is authorized to promulgate rules to effectuate this subdivision (b)(3) in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 4. Tennessee Code Annotated, Section 71-3-105(f), is amended by deleting subdivision (2) and substituting the following:

(2)(A) Notwithstanding subdivision (f)(2)(B), the maximum grants for the temporary assistance program, expressed as a percentage of the standard of need, may be raised if approved as a line item in the annual appropriations act. An increase in the maximum grants for the temporary assistance program shall not be approved by rules.

(B) The maximum standard grant for the temporary assistance program shall be determined as follows:

(i) For an assistance group size of one (1) person, the maximum standard grant shall be twenty-two percent (22%) of the fiscal year 2018-2019 standard of need for an assistance group size of one (1) person; and

(ii) For each additional member added to an assistance group, an additional two percent (2%) shall be added to twenty-two percent (22%), and the maximum standard grant for each respective assistance group size shall be the resulting percentage of the fiscal year 2018-2019 standard of need for that assistance group size.

(C) The department is authorized to promulgate rules to effectuate this subsection (f) in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 5. Tennessee Code Annotated, Section 71-5-314, is amended by adding the following as a new, appropriately designated subsection:

( ) The department shall implement the following procedures regarding electronic benefits card replacement requests:

(1) The department shall, upon the third request within a twelve-month period, notify the recipient to provide information regarding fraud, abuse, and trafficking and inform the recipient of the consequences that result from a fourth request within a twelve-month period, as provided in subdivision ( ) (2);

(2) The department shall, upon the fourth replacement request within a twelve-month period, notify the recipient that the recipient's case is being monitored for suspicious activity and has been referred to the department's Office of Inspector General for investigation; and

(3) If a third-party vendor provides replacement cards directly to recipients on behalf of the department, the vendor shall notify the department upon a third request within a twelve-month period by a recipient and upon any subsequent request thereafter.



SECTION 6. Tennessee Code Annotated, Section 71-5-316, is amended by deleting subsection (b) and substituting the following:

(b) The department of human services shall, upon approval from the secretary of the United States department of agriculture, take any steps necessary to enter into an intra-agency agreement joining a multi-state cooperative that identifies individuals who are currently receiving benefits in other surrounding states to minimize dual participation.

SECTION 7. For rulemaking purposes, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect December 1, 2018, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

**MR. SPEAKER McNALLY RELINQUISHES CHAIR**

Mr. Speaker McNally relinquished the Chair to Senator Haile as Speaker pro tempore.

Thereupon, **Senate Bill No. 2247**, as amended, passed its third and final consideration by the following vote:

Ayes .....	31
Noes .....	1

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

Senator voting no was: Hensley--1.

A motion to reconsider was tabled.

Senator Dickerson moved that **Senate Bill No. 2339** be moved five places down on the Calendar for today, which motion prevailed.

**Senate Bill No. 2508** -- Pensions and Retirement Benefits -- As introduced, prohibits the trustees of any defined contribution plan or related investment vehicle established as a health benefit by the state insurance company from investing in any cryptocurrency. Amends TCA Title 8.

Senator Watson moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 27, Part 8, is amended by adding the following as a new section:

Nothing in this part prohibits a local education agency from participating in any other post-employment benefits investment trust created pursuant to chapter 50, part 12, of this title.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2508**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	32
Noes . . . . .	0

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

**Senate Bill No. 2573** -- Alcoholic Beverages -- As introduced, authorizes the City of Ethridge to hold a referendum to authorize the retail sale of alcoholic beverages in package stores and for consumption on the premises. Amends TCA Title 57, Chapter 3 and Title 57, Chapter 4.

On motion, Senate Bill No. 2573 was made to conform with **House Bill No. 1576**.

On motion, House Bill No. 1576, on same subject, was substituted for Senate Bill No. 2573.

**House Bill No. 1576** passed its third and final consideration by the following vote:

Ayes . . . . .	27
Noes . . . . .	1
Present, not voting . . .	1

Senators voting aye were: Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Reeves, Roberts, Stevens, Swann, Watson, Yager, Yarbrow and Mr. Speaker McNally--27.

Senator voting no was: Southerland--1.

Senator present and not voting was: Pody--1.

A motion to reconsider was tabled.

**Senate Bill No. 2644** -- Water Authorities -- As introduced, removes the requirement that water and wastewater treatment authority boards include a person in the field of law. Amends TCA Section 68-221-605.

**THURSDAY, MARCH 22, 2018 -- 62ND LEGISLATIVE DAY**

On motion, Senate Bill No. 2644 was made to conform with **House Bill No. 2035**.

On motion, House Bill No. 2035, on same subject, was substituted for Senate Bill No. 2644.

On motion of Senator Southerland, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2035** passed its third and final consideration by the following vote:

Ayes .....	31
Noes .....	0

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Speaker Pro Tempore Haile moved that **Senate Bill No. 2662** be placed on the Calendar for Monday, March 26, 2018, which motion prevailed.

Speaker Pro Tempore Haile moved that **Senate Bill No. 2682** be placed on the Calendar for Monday, March 26, 2018, which motion prevailed.

**Senate Bill No. 2339** -- Alcoholic Beverages -- As introduced, designates Pine Creek Golf Course in Wilson County as a premier type tourist resort for purposes of consumption of alcoholic beverages on the premises. Amends TCA Section 57-4-102.

On motion, Senate Bill No. 2339 was made to conform with **House Bill No. 2186**.

On motion, House Bill No. 2186, on same subject, was substituted for Senate Bill No. 2339.

**House Bill No. 2186** passed its third and final consideration by the following vote:

Ayes .....	27
Noes .....	2

Senators voting aye were: Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Reeves, Roberts, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--27.

Senators voting no were: Hensley and Southerland--2.

A motion to reconsider was tabled.

**Senate Bill No. 2706** -- Alcoholic Beverages -- As introduced, designates The Caverns in Grundy County as a premier type tourist resort for purposes of selling alcoholic beverages for consumption on premises. Amends TCA Section 57-4-102.

**Senate Bill No. 2706** passed its third and final consideration by the following vote:

Ayes . . . . . 26  
Noes . . . . . 2

Senators voting aye were: Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Reeves, Roberts, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--26.

Senators voting no were: Hensley and Southerland--2.

A motion to reconsider was tabled.

**Senate Bill No. 1840** -- Education, Higher -- As introduced, changes, from 10 days to 10 business days, the amount of time within which a new owner or governing body must apply for a new authorization to operate after a change in ownership of a postsecondary educational institution. Amends TCA Title 49.

On motion, Senate Bill No. 1840 was made to conform with **House Bill No. 1969**.

On motion, House Bill No. 1969, on same subject, was substituted for Senate Bill No. 1840.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1969** passed its third and final consideration by the following vote:

Ayes . . . . . 30  
Noes . . . . . 0

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

**Senate Bill No. 1977** -- Public Health -- As introduced, clarifies that a park does not include a greenway for purposes of the prohibition that no hypodermic syringe exchange program may be operated within 2,000 feet of a park; declares that in the event a greenway traverses a park, the greenway shall be considered a portion of that park for purposes of such prohibition. Amends TCA Title 68.

Senator Crowe moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting Section 1 and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-1-136(g), is amended by deleting the subsection and substituting the following:

(g)(1) Except as otherwise provided in subdivision (g)(2), a program established pursuant to this section shall not conduct an exchange within two thousand feet (2,000') of any school or public park.

(2) A program established pursuant to this section shall not conduct an exchange within one thousand feet (1,000') of any school or public park. This subdivision (g)(2) applies only to a:

(A) County having a metropolitan form of government with a population of more than five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census; and

(B) Municipality with a population in excess of one hundred sixty-five thousand (165,000), according to the 2010 federal census or any subsequent federal census.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1977**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 27  
Noes . . . . . 2

Senators voting aye were: Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Massey, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--27.

Senators voting no were: Hensley and Lundberg--2.

A motion to reconsider was tabled.

**Senate Bill No. 2048** -- Hospitals and Health Care Facilities -- As introduced, exempts certain records relating to the oversight of a cooperative agreement governed by certificate of public advantage from being public records. Amends TCA Title 10, Chapter 7 and Title 68, Chapter 11, Part 13.

Senator Crowe declared Rule 13 on **Senate Bill No. 2048**.

Senator Yarbrow declared Rule 13 on **Senate Bill No. 2048**.

Senator Crowe moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, Part 13, is amended by adding the following as a new section:

**68-11-1310.**

(a) The following records received by the department or the attorney general and reporter from the recipients or applicants of a certificate of public advantage for a cooperative agreement issued pursuant to this part shall not be subject to disclosure pursuant to title 10, chapter 7, part 5:

(1) Operating and capital budgets;

(2) Existing and future business plans other than any plans, and any modifications to those plans, that are required to be submitted to the state pursuant to a certificate of public advantage or application for a certificate of public advantage;

(3) Financial audit working papers as defined in § 4-3-304(7);

(4) Contracts or agreements with payors and payor pricing information;

(5) Physician recruitment plans and contracts or agreements with physicians;

(6) Contracts or agreements with vendors;

(7) Complaints, including hotline complaints and open investigations of such complaints; and

(8) Employee personnel files, including performance evaluations, disciplinary actions, individual compensation amounts, and employment contract terms not otherwise publicly available.

(b) Records set forth in subsection (a) may contain trade secrets as defined in § 47-25-1702. The state shall notify in writing the recipient or applicant of a certificate of public advantage for a cooperative agreement at least seven (7) business days before any intended disclosure of such records. The recipient, applicant, or third party may petition the department pursuant to § 4-5-223 for a declaratory order to determine if disclosure would cause the loss of a trade secret. Any contested case convened in response to the petition shall be conducted as set forth in title 4, chapter 5, part 3; however, the provisions of § 4-5-325 shall not be applicable. Records subject to the petition shall not be disclosed until the review process in title 4, chapter 5, part 3 is completed.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2048**, as amended, passed its third and final consideration by the following vote:

Ayes ..... 30  
Noes ..... 0

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senator Dickerson moved that **Senate Bill No. 2099** be placed on the Calendar for Thursday, March 29, 2018, which motion prevailed.

**Senate Bill No. 2294** -- Education, Higher -- As introduced, changes from five business days to five days the amount of time within which an institution receiving optional expedited authorization must notify the Tennessee Higher Education Commission of actions involving the institution's accreditation status, legal actions, utilization of a letter of credit or cash management agreement, or a public announcement of an investigation involving the institution. Amends TCA Title 49.

Senator Gresham moved to amend as follows:

#### **AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-7-2004, is amended by deleting subdivision (a)(6)(D) in its entirety and substituting instead:

(D) Meets and maintains financial standards deemed acceptable by the accreditor for the purpose of maintaining accreditation or the United States department of education for the purpose of being a Title IV eligible institution; and

SECTION 2. Tennessee Code Annotated, Section 49-7-2008, is amended by deleting subdivision (e)(2) in its entirety and substituting instead:

(2) In the event of a change in ownership of the institution, a new owner or governing body must, within five (5) business days after the change in ownership, apply for a new authorization to operate as provided for by the commission; and in the event of failure to do so, the institution's authorization to operate shall terminate.

SECTION 3. Tennessee Code Annotated, Section 49-7-2013, is amended by deleting subdivision (a)(3) in its entirety and substituting instead:

(3) The bond shall be conditioned to:

(A) Initially provide indemnification to any student or enrollee or the student's or enrollee's parents or guardian, or class thereof, determined to have suffered loss or damage as a result of any act or practice that is a violation of this part by the postsecondary educational institution, and that the

bonding company shall pay any final, nonappealable judgment rendered by the commission or any court of this state having jurisdiction, upon receipt of written notification of the judgment; and

(B) Pay, from any remaining funds to the special agency account established pursuant to § 49-7-2014, an amount to be assessed by the commission for the administrative costs associated with maintaining academic records pursuant to § 49-7-2016, including the collection, conversion, and retention of all academic records.

SECTION 4. Tennessee Code Annotated, Section 49-7-2016, is amended by deleting subsections (b), (c), and (d) in their entireties and substituting instead:

(b) The academic records shall include, at a minimum, the transcripts or certificates in a format that is customarily required by postsecondary educational institutions when considering students for transfer or advanced study, or by other third parties, such as employers.

(c) In the event it appears to the commission that the academic records of an institution discontinuing its operations are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable to the commission, the commission may seize and take possession of the records, on its own motion, and without order of court.

(d) The commission shall maintain, or cause to be maintained, a permanent file of the transcripts or certificates provided by subsection (b) that come into its possession.

SECTION 5. Tennessee Code Annotated, Section 49-7-2018, is amended by deleting subsection (a) in its entirety and substituting instead:

(a) The general assembly recognizes:

(1) The need to establish a fund from which reimbursement can be made to students who reside in Tennessee or attend an authorized location with a Tennessee address, or an entity making loans to those students at postsecondary educational institutions that close without earning tuition collected from enrollees; and

(2) That the moneys for the fund can be most properly raised based on the level of tuition collections at each such educational institution.

SECTION 6. Tennessee Code Annotated, Section 49-7-2018, is amended by deleting subsection (c) in its entirety and substituting instead:

(c) There is established the board of directors of the tuition guaranty fund, which shall be composed of the comptroller of the treasury, the commissioner of finance and administration, the state treasurer, the executive director of the Tennessee higher education commission, a member of the committee on postsecondary educational institutions named by the chair of the commission, and a representative of the private postsecondary education industry named by the chair of



the commission, or their designees, so designated in writing. The state treasurer or the state treasurer's designee shall be chair. The board is authorized to take any actions necessary to administer the fund, including promulgation of rules and bylaws. The board shall report annually to the general assembly and governor on the condition of the fund.

SECTION 7. Tennessee Code Annotated, Section 49-7-2022, is amended by deleting subsection (c) in its entirety and substituting instead:

(c) Eligibility for optional expedited authorization is available annually to degree-granting postsecondary educational institutions that submit the following documentation to the commission:

(1) Evidence of good-standing and valid institutional accreditation from a regional or national institutional accrediting agency recognized by the United States department of education;

(2) Documentation evidencing an established, clearly articulated, and comprehensive process for the resolution of consumer complaints;

(3) If the institution is not authorized in this state, documentation evidencing that the institution is authorized or exempt from authorization in the state where it is primarily located;

(4) A signed and notarized application for optional expedited authorization on a form provided by the commission;

(5) If applicable, documentation evidencing all requisite program approvals from other state licensing boards or commissions; and

(6) Documentation evidencing that the institution meets and maintains financial standards and institutional stability acceptable by the accreditor for the purpose of maintaining accreditation or the United States department of education for the purpose of being a Title IV eligible institution.

SECTION 8. Tennessee Code Annotated, Section 49-7-2022(h)(2), is amended by adding the following as new, appropriately designated subdivisions:

( ) A change of ownership;

( ) A change of institutional director;

SECTION 9. Tennessee Code Annotated, Section 49-7-2022, is amended by deleting subdivision (h)(5) in its entirety and substituting instead:

(5) Provide the following data, subject to the commission's requirements:

(A) Student-level data on enrollment and credential attainment;

- (B) Job placement data;
- (C) Costs of attendance;
- (D) Federal student cohort default rates; and
- (E) A comprehensive list of all programs offered at the institution.

SECTION 10. Tennessee Code Annotated, Section 49-7-2022, is amended by deleting subsections (i), (j), and (k) in their entireties and substituting instead:

(i) Optional expedited authorization shall remain available only to those institutions maintaining the eligibility standards required under this section, as submitted in the documentation accompanying the institution's annual optional expedited authorization application. Optional expedited authorization shall be issued to the owner or governing body of the applicant institution and shall be nontransferable. In the event of a change of ownership, the new owner or governing body must apply for a new authorization to operate as provided for by the commission; failure to do so shall result in termination of the institution's authorization to operate.

(j) The commission may revoke or make conditional an issued optional expedited authorization for:

- (1) Loss of or failure to meet any of the listed criteria for authorization in subsection (c);
- (2) Just cause; or
- (3) Failure to fulfill the requirements in subsection (h).

(k) Upon the commission's revocation of any institution's optional expedited authorization, the institution shall then immediately be subject to all remaining provisions of this part, applicable administrative rules and procedures for issuance of authorization, and shall reapply for commission authorization under § 49-7-2008. Any institution whose optional expedited authorization is revoked by the commission shall be ineligible to reapply for optional expedited authorization for no less than twenty-four (24) months from the date of revocation.

SECTION 11. Tennessee Code Annotated, Section 49-7-2022, is amended by deleting subsection (p) in its entirety and substituting instead:

(p) No later than June 30, 2018, the commission shall develop, and make available on its web site, graduation rates and statistics on credential attainment for institutions authorized under this section and a hyperlink to the institutions' website.

SECTION 12. Tennessee Code Annotated, Section 49-7-2022, is amended by deleting subdivision (q)(1) in its entirety and substituting instead:

(1) Any person aggrieved by a decision of the commission with respect to denial of, revocation of, or making conditional an optional expedited authorization to operate as provided by subsection (j) shall have the right to a hearing and review of the decision by the commission as provided by this subsection (q).

SECTION 13. Tennessee Code Annotated, Section 49-7-2022, is amended by adding the following as new, appropriately designated subsection:

( ) Institutions authorized under this section shall develop and make available to the public on the institutions' websites the most current version of the following information:

(1) Costs of attendance;

(2) Information on whether academic credits attained are transferable to other institutions operating in Tennessee;

(3) Executed articulation and transfer of credit agreements with other institutions operating in Tennessee, if applicable; and

(4) Federal student cohort default rates.

SECTION 14. Tennessee Code Annotated, Section 49-7-207, is amended by deleting subsections (a) and (b) in their entireties and substituting instead:

(a) There is created, under the auspices of the Tennessee higher education commission, a committee on postsecondary educational institutions, which shall have responsibility for oversight and regulation of institutions pursuant to part 20 of this chapter. The committee shall be composed of the executive director of the Tennessee higher education commission, who shall serve as chair, and twelve (12) persons appointed by the commission. Persons appointed by the commission shall be broadly representative of the geographical characteristics of the state. Six (6) members of the committee shall be employed by, hold an ownership interest in, or otherwise be affiliated with an institution or other entity subject to the committee's supervision and oversight. Four (4) members shall be representative of the public interest and shall have no association or relationship with the institutions. Two (2) members shall be representative of community based organizations that have an interest in postsecondary occupational education. The commission may receive lists of nominees from the postsecondary institutions or from other sources to fill vacancies on the committee, who shall be considered by the commission in making its appointments.

(b) Members of the committee shall serve three-year terms, or until their successors are appointed. Members may be reappointed. A member may be removed without cause by the commission if removal is required to avoid having more than six (6) members of the committee who are affiliated with an institution subject to the committee's supervision and oversight. Members may also be removed by the commission for failure to attend official meetings of the committee, for failure to perform duties related to their position or for other reasonable cause.

SECTION 15. The member added to the committee by increasing the number of appointed members from eleven (11) to twelve (12) by the amendment to § 49-7-207(a) of this act shall serve a three-year term.

SECTION 16. Tennessee Code Annotated, Section 49-7-207 is amended by deleting subsection (f) in its entirety and substituting instead:

(f) When the committee or the commission receives a request for initial authorization of an institution or approval of a new program under part 20 of this chapter, it shall provide timely notice of the application and the programs that are proposed to be offered to state institutions of higher education within whose service area the proposed institution or program is to be located. Any affected state institution may comment on the proposal to the committee or commission.

SECTION 17. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2294**, as amended, passed its third and final consideration by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

**Senate Bill No. 2359** -- Drug and Alcohol Rehabilitation -- As introduced, authorizes county or district health department to operate a needle and hypodermic syringe exchange program on petition of the county legislative body and approval by the department of health. Amends TCA Title 68.

Senator Crowe moved to amend as follows:

#### **AMENDMENT NO. 1**

AMEND by deleting the language "county or district health department" and substituting the language "a county or district health department" in Section 1.

AND FURTHER AMEND by adding the following section and redesignating the effective date section:

SECTION 6. Tennessee Code Annotated, Section 68-1-136, is amended by adding the following as a new subsection (j):

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Needle and hypodermic syringe exchange programs established under subsection (i) shall be funded entirely by the county legislative body making petition to the county or district health department.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2359**, as amended, passed its third and final consideration by the following vote:

Ayes .....	29
Noes .....	1

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gresham, Haile, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--29.

Senator voting no was: Hensley--1.

A motion to reconsider was tabled.

**Senate Bill No. 1593** -- Evidence -- As introduced, prohibits the exclusion from a criminal trial of certain out-of-court statements made by a child under 12 years of age that describe any sexual act or act of physical violence directed against the child. Amends TCA Title 24.

Senator Kelsey moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting in the first sentence of Section 1(a) the language "out-of-court statement" and substituting instead the language "out-of-court, non-testimonial statement".

AND FURTHER AMEND by deleting in Section 2 the language "trials occurring" and substituting instead the language "offenses committed".

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1593**, as amended, passed its third and final consideration by the following vote:

Ayes .....	31
Noes .....	0
Present, not voting . . .	1

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--31.

Senator present and not voting was: Yarbro--1.

A motion to reconsider was tabled.

**Senate Bill No. 1820** -- Alcoholic Beverages -- As introduced, authorizes an entity licensed or applying for a license to sell alcoholic beverages for on-premises consumption to include in the entity's designation of its premises any contiguous area owned or controlled by the entity; authorizes an entity licensed to sell alcoholic beverages for on-premises consumption to serve a sample of wine to a patron or customer that does not exceed one ounce. Amends TCA Title 57, Chapter 4.

On motion, Senate Bill No. 1820 was made to conform with **House Bill No. 1976**.

On motion, House Bill No. 1976, on same subject, was substituted for Senate Bill No. 1820.

Senator Yager moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Ketron moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-101, is amended by adding the following new subsection (p):

(p) An entity licensed or applying for a license under subsection (a) may include in the entity's designation of its premises any contiguous area owned or controlled by the entity for purposes of on-premises consumption of alcoholic beverages and beer. If the contiguous area used for on-premises consumption is unenclosed, the entity shall make reasonable efforts to ensure that a customer cannot leave the premises with an alcoholic beverage or beer purchased on the premises by using barriers to prevent the ingress and egress of customers to and from the premises. If more than one (1) entity licensed under subsection (a) operates within the same building or facility, the designations of premises under this subsection (p) may overlap; provided, that each entity serves alcoholic beverages and beer in a glass or cup identifying the entity selling the alcoholic beverages or beer for on-premises consumption.

SECTION 2. Tennessee Code Annotated, Section 57-4-203(e)(2), is amended by deleting the subdivision and substituting instead the following:

(2) A licensee shall not give away any such sealed package or any drink of wine or alcoholic beverage to any patron or customer; provided, that:

(A) A hotel licensed under this chapter may include as part of the accommodations to a registered guest the provision of up to four (4) seven hundred fifty milliliter (750 ml.) or smaller complimentary sealed packages of wine or alcoholic beverages for which all applicable taxes have been paid; and

(B) A licensee may serve a sample of wine to a patron or customer that does not exceed one ounce (1 oz.).

SECTION 3. Tennessee Code Annotated, Section 57-4-101(a), is amended by adding the following new subdivision:

(22) Festival operator as defined in § 57-4-102, to those in attendance at a festival, subject to the further provisions of this chapter, and except as otherwise provided in § 57-4-102.

SECTION 4. Tennessee Code Annotated, Section 57-4-102, is amended by adding the following as a new, appropriately designated subdivision:

( ) (A) "Festival operator" means a person licensed under this subdivision ( ) who is either a for-profit business operating a festival for a period of up to seven (7) days in length in which alcoholic beverages or beer will be sold, given away, or otherwise dispensed or a third party with whom such for-profit business engages to conduct alcoholic beverage or beer sales during such festival.

(B) The commission shall issue a license to a festival operator upon the payment of a fee of one thousand dollars (\$1,000) per day of the festival, and the submission of an application on a form prescribed by the commission that provides proof satisfactory of the following information, to the satisfaction of the commission:

(i) The premises on which alcoholic beverages or beer will be served, sold, dispensed, or consumed is sufficiently designated, enclosed, secured, and maintained;

(ii) Adequate security for the festival is provided;

(iii) The number and location of each point of sale in which alcoholic beverages or beer will be served, sold, dispensed, or consumed is specified. If the operator of any such point of sale, including any person or entity that receives any portion of the proceeds of the sale of alcoholic beverages or beer from that point of sale, is different from the festival operator, the name and relevant information of such other operator must be specified on the application to the commission, and the commission may determine that such other operator is required to obtain an additional festival operator license;

(iv) The staff selling, serving, or dispensing alcoholic beverages or beer are adequately trained and supervised in the service of alcoholic beverages and beer and on the applicable laws regarding such service;

(v) The city or county in which, or the state governmental entity responsible for the property on which, the festival is to be held has approved the festival; and

(vi) If the applicant intends to sell, serve, or dispense beer, the applicant has a beer permit issued in accordance with chapter 5 of this title.

(C) No person licensed under this title, operating in conjunction with a festival operator licensee, or performing any activities for which a license is otherwise required under this title, other than a festival operator or special occasion licensee licensed under this section, may provide any service, item, or other thing of value to a festival operator or with respect to a festival operator's festival, except as may be expressly authorized by the commission. Additionally, no festival operator may receive or accept any item or service that a person under this subdivision ( ) is prohibited from providing. All alcoholic beverages used for the festival must be purchased from wholesalers licensed under § 57-3-203. Notwithstanding any law to the contrary, a wholesaler may buy back any unopened and resalable bottles of alcoholic beverages at the end of the festival. A wholesaler shall keep all records, as may be required by the commission, necessary to document the purchase of such products pursuant to this subdivision ( ).

(D) All applicable taxes, including the tax levied on the sale of alcoholic beverages for consumption on the premises under § 57-4-301, must be remitted as required by law.

(E) Alcoholic beverages and beer may be sold, given away, dispensed, or consumed only within hours sufficient to ensure adequate public health, safety, and welfare as determined by the commission or local beer board, as applicable.

(F) Notwithstanding any law to the contrary, if the commission finds that any of the requirements of this subdivision ( ) have not been, or are not being, met by a festival operator during a festival or after the completion of a festival, or that the festival operator misrepresented information in the person's application, the commission may use the failure or misrepresentation as the basis to summarily suspend the license of the festival operator, to deny any future applications for a festival operator license for a period of up to two (2) years after the festival in which the failure or misrepresentation occurred, or to issue a fine of up to ten thousand dollars (\$10,000) per violation, which disciplinary action must be resolved prior to the issuance of any new festival operator license to the festival operator.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

On motion of Senator Yager, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1976**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	27
Noes . . . . .	2
Present, not voting . . .	1



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Senators voting aye were: Bowling, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Reeves, Roberts, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--27.

Senators voting no were: Hensley and Southerland--2.

Senator present and not voting was: Pody--1.

A motion to reconsider was tabled.

Senator Ketron moved that **Senate Bill No. 2528** be rereferred to the Committee on Calendar, which motion prevailed.

**House Joint Resolution No. 641** -- Memorials, Congratulations -- Taiwan.

**House Joint Resolution No. 641** was adopted by the following vote:

Ayes .....	25
Noes .....	0

Senators voting aye were: Bell, Bowling, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Jackson, Johnson, Kyle, Lundberg, Niceley, Norris, Pody, Reeves, Roberts, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--25.

A motion to reconsider was tabled.

### **MESSAGE CALENDAR**

#### **SENATE BILL ON HOUSE AMENDMENT**

**Senate Bill No. 574** -- Education, State Board of -- As introduced, requires the standards review and development committees and advisory teams appointed by the state board of education to review the academic standards for English language arts, mathematics, science, and social studies every seven years, beginning in 2022. Amends TCA Title 49, Chapter 1, Part 3.

#### **HOUSE AMENDMENT NO. 2**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-1-311, is amended by designating the existing language as subsection (a) and adding the following language as new subsections:

(b) Beginning in 2018, the state board shall ensure that the standards review and development committees and advisory teams review the standards for English language arts, mathematics, science, and social studies pursuant to §§ 49-1-311 - 49-1-313 at least once every six (6) years from the last adoption. The standards review and development committees and advisory teams shall make recommendations for adoption of new standards in these subject areas to the state board, and the state board shall vote on whether to adopt the recommended standards.

(c) Any unexpended funds appropriated for the purposes of this section shall not revert to the general fund, but shall be carried forward into the subsequent fiscal year to effectuate the purposes of this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Gresham moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 574**, which motion prevailed by the following vote:

Ayes . . . . .	30
Noes . . . . .	0

Senators voting aye were: Bell, Bowling, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

#### SENATE BILL ON HOUSE AMENDMENT

**Senate Bill No. 1805** -- Education -- As introduced, requires the department of education to create a process that provides LEAs at least 15 days to verify and correct assessment and accountability data prior to the data's release; requires the state board of education to develop a policy identifying the data subject to review by LEAs. Amends TCA Title 49, Chapter 1, Part 6.

#### HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 1, Part 6, is amended by adding the following language as a new section:

The department of education shall develop, and the state board shall adopt, a policy establishing a review period for LEAs to review and verify accountability data files and determinations before data files and determinations are released publicly by the department. The policy shall include, at a minimum:

- (1) The length of the review period; provided, that no review period shall be less than ten (10) business days;
- (2) Identification of specific data that shall not be released during the review period; and
- (3) A process for the LEA to verify the accuracy of the data.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Ketron moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 1805**, which motion prevailed by the following vote:

Ayes .....	28
Noes .....	0

Senators voting aye were: Bell, Bowling, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

### SENATE BILL ON HOUSE AMENDMENT

**Senate Bill No. 1675** -- Taxes, Ad Valorem -- As introduced, provides continued eligibility for a disabled veteran's property tax relief during temporary periods of confinement in a nursing home or hospitalization if the disabled veteran intends to return to the residence once recovered. Amends TCA Title 67, Chapter 5, Part 7.

### HOUSE AMENDMENT NO. 2

AMEND by deleting the language "temporarily hospitalized or temporarily confined in a nursing home" wherever it appears in the bill as amended by draft # 12582, and substituting instead the language "temporarily relocated for health care to the home of a friend or relative, or to a hospital or skilled or intermediate care facility".

AND FURTHER AMEND by deleting the language "temporary hospitalization or confinement" wherever it appears in the bill as amended by draft # 12582, and substituting instead the language "temporary relocation".

AND FURTHER AMEND by adding the following new subsection at the end of the amendatory language of Section 3 as amended by draft # 12582:

(n) As used in this section, "disabled veteran" includes the veteran's otherwise qualified surviving spouse.

AND FURTHER AMEND by inserting the following new section immediately preceding the last section and renumbering the remaining section accordingly:

SECTION \_\_\_\_\_. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

Senator Green moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 1675**, which motion prevailed by the following vote:

Ayes .....	29
Noes .....	0
Present, not voting ...	1

**THURSDAY, MARCH 22, 2018 -- 62ND LEGISLATIVE DAY**

Senators voting aye were: Bell, Bowling, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--29.

Senator present and not voting was: Kyle--1.

A motion to reconsider was tabled.

**NOTICES**

**MESSAGE FROM THE HOUSE**

March 22, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1905, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

March 22, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2685, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,  
Chief Clerk

**MOTION**

Senator Norris moved the Proposed Schedule for the week of March 26, 2018, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE  
110th GENERAL ASSEMBLY**

**PROPOSED SCHEDULE  
FOR THE WEEK OF MARCH 26, 2018**

**MONDAY – March 26**

2:30 p.m. Appropriations Subcommittee of Finance, Ways &  
Means Committee

4:00 p.m. Session – Senate Chamber

**TUESDAY – March 27**

8:30 a.m. Finance, Ways & Means Committee  
\*immediately following Appropriation Subcommittee

**THURSDAY, MARCH 22, 2018 -- 62ND LEGISLATIVE DAY**

10:30 a.m.	State & Local Government Committee
12:30 p.m.	Lunch
1:00 p.m.	Judiciary Committee

**WEDNESDAY – March 28**

**8:30 a.m. Session – Senate Chamber**

10:30 a.m.	Government Operations Committee (Final Meeting)
12:00 noon	Lunch
12:30 p.m.	Education Committee (Final Meeting)
3:00 p.m.	State & Local Government Committee (Final Meeting)

**THURSDAY – March 29**

**8:30 a.m. Session – Senate Chamber**

**OTHER MEETINGS**

**Monday, March 26, 2018**

- Corrections Subcommittee of State & Local Government Committee, at 1:00 p.m., in Senate Hearing room II.
- Joint Government Operations Rule Review, at 1:30 p.m., in House Hearing room III.

**RECALL OF BILL**

On motion of Speaker Pro Tempore Haile, **Senate Bill No. 2095** was recalled from the Committee on Calendar.

**REFERRAL OF BILL**

Speaker Pro Tempore Haile moved that Senate Bill No. 2095 be referred to the Committee on Government Operations, which motion prevailed.

**MOTION**

On motion of Senator Niceley, his name was added as prime sponsor of **Senate Bill No. 501**.

On motion of Senator Jackson, his name was added as sponsor of **Senate Bills Nos. 1574 and 2646**.

On motion of Senator Norris, his name was added as prime sponsor of **Senate Bill No. 1575**.

On motion of Senators Briggs, Haile, Jackson and Massey, their names were added as sponsors of **Senate Bill No. 1593**.

On motion of Senator Bell, his name was added as prime sponsor of **Senate Bill No. 1720**.

On motion of Senators Hensley, Crowe, Swann and Watson, their names were added as sponsors of **Senate Bill No. 1720**.

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On motion of Senators Green and Stevens, their names were added as sponsors of **Senate Bills Nos. 1728 and 2247.**

On motion of Senator Yarbrow, his name was added as sponsor of **Senate Bills Nos. 1814, 1900, 1977, 1998 and 2099.**

On motion of Senator Roberts, his name was added as sponsor of **Senate Bill No. 1994.**

On motion of Senator Briggs, his name was added as prime sponsor of **Senate Bill No. 2063.**

On motion of Senator Stevens, his name was removed as sponsor of **Senate Bill No. 2063.**

On motion of Senator Yager, his name was added as sponsor of **Senate Bills Nos. 2166 and 2443.**

On motion of Senator Briggs, his name was added as sponsor of **Senate Bills Nos. 2192 and 2276.**

On motion of Senator Johnson, his name was added as sponsor of **Senate Bill No. 2197.**

On motion of Senator Briggs and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolutions Nos. 735, 736 and 741.**

On motion of Senators Briggs, Crowe and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 737.**

On motion of Senator Watson, his name was added as sponsor of **Senate Joint Resolution No. 738.**

On motion of Senator Bell, his name was added as sponsor of **Senate Joint Resolution No. 739.**

On motion of Senator Crowe, his name was added as sponsor of **Senate Joint Resolution No. 742.**

On motion of Senators Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Swann, Watson and Yager, their names were added as sponsors of **Senate Joint Resolution No. 777.**

On motion of Senator Kelsey, his name was added as sponsor of **Senate Resolution No. 175.**

On motion of Senator Harris, his name was added as sponsor of **House Joint Resolution No. 641.**

On motion of Mr. Speaker McNally; and Senators Bell, Lundberg, Briggs, Massey, Swann, Bailey, Bowling, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Niceley, Norris, Pody, Reeves, Roberts, Southerland, Stevens, Tate, Watson, Yager and Yarbrow, their names were added as sponsors of **House Joint Resolution No. 870.**

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On motion of Senator Kelsey and Mr. Speaker McNally, their names were added as sponsors of **House Joint Resolution No. 874.**

On motion of Senator Massey, her name was added as sponsor of **House Joint Resolution No. 890.**

On motion of Senators Briggs and Massey, their names were added as sponsors of **House Joint Resolution No. 918.**

On motion of Senator Reeves, his name was added as sponsor of **House Joint Resolutions Nos. 919 and 920.**

On motion of Senator Kyle, her name was added as sponsor of **House Joint Resolutions Nos. 921, 922, 923, 924, 925 and 926.**

On motion of Senator Swann, his name was added as sponsor of **House Joint Resolution No. 932.**

On motion, all Senators' names were added as sponsors of **House Joint Resolution No. 940.**

**ENGROSSED BILLS**

March 22, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 1593, 1723, 1789, 1907, 1977, 1998, 2048, 2075, 2174, 2229, 2247, 2294, 2359, 2508 and 2706; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**ENGROSSED BILLS**

March 22, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 1814 and 2003, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**ENGROSSED BILLS**

March 22, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bill No. 2098, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**THURSDAY, MARCH 22, 2018 -- 62ND LEGISLATIVE DAY**

**ENGROSSED BILLS**

March 22, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bill No. 2244, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**ENGROSSED BILLS**

March 22, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolutions Nos. 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750 and 751; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**MESSAGE FROM THE HOUSE**

March 22, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1198, 1707, 1762, 1870, 2006, 2029, 2220, 2438, 2469, 2613 and 2636; passed by the House.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

March 22, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1969, passed by the House.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

March 22, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2186, passed by the House.

TAMMY LETZLER,  
Chief Clerk



**THURSDAY, MARCH 22, 2018 -- 62ND LEGISLATIVE DAY**

**MESSAGE FROM THE HOUSE**

March 22, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 911 and 953, adopted, for the Senate's action.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

March 22, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1503, 1724, 1745, 1814, 2003, 2098, 2244, 2256, 2494 and 2679; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

March 22, 2018

MR. SPEAKER: I am directed to return to the Senate, the House lifted the tabling motion and reconsidered Senate Joint Resolution No. 777. The House concurred in Senate Joint Resolution No. 777.

TAMMY LETZLER,  
Chief Clerk

**ENROLLED BILLS**

March 21, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 525, 657, 658, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 723 and 724; and Senate Resolutions Nos. 153, 156 and 157; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**ENROLLED BILLS**

March 22, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 574, 1503, 1675, 1724, 1745, 1805, 1814, 2003, 2098, 2244, 2256, 2494 and 2679; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**THURSDAY, MARCH 22, 2018 -- 62ND LEGISLATIVE DAY**

**ENROLLED BILLS**

March 22, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolution No. 777, and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**ENROLLED BILLS**

March 22, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Resolution No. 175, and find same correctly enrolled and ready for the signature of the Speaker.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**MESSAGE FROM THE HOUSE**

March 22, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1143, 1503, 1562, 1566, 1735 and 1927; for the signature of the Speaker.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

March 22, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 641, 870, 874, 918, 919, 920 and 940; for the signature of the Speaker.

TAMMY LETZLER,  
Chief Clerk

**SIGNED**

March 21, 2018

The Speaker announced that he had signed the following: Senate Bills Nos. 264, 727, 1487, 1510, 1515, 1573, 1656, 1665, 1729, 1774, 1995, 2071, 2101, 2141, 2468, 2472, 2497, 2661, 2667, 2725 and 2728; and House Bills Nos. 1825, 1947, 2396 and 2642.

**SIGNED**

March 21, 2018

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 525, 657, 658, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697,

**THURSDAY, MARCH 22, 2018 -- 62ND LEGISLATIVE DAY**

698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 723 and 724; and Senate Resolutions Nos. 153, 156 and 157.

**SIGNED**

March 21, 2018

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 600, 728, 876, 898, 899, 900, 901, 902, 903, 909 and 916.

**SIGNED**

March 22, 2018

The Speaker announced that he had signed the following: Senate Joint Resolution No. 777.

**SIGNED**

March 22, 2018

The Speaker announced that he had signed the following: Senate Resolution No. 175.

**SIGNED**

March 23, 2018

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 641, 870, 874, 918, 919, 920 and 940.

**MESSAGE FROM THE HOUSE**

March 22, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 264, 727, 1487, 1510, 1515, 1573, 1656, 1665, 1729, 1774, 1995, 2071, 2101, 2141, 2468, 2472, 2497, 2661, 2667, 2725 and 2728; signed by the Speaker.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

March 21, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 525, 657, 658, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 723 and 724; signed by the Speaker.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

March 22, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 777, signed by the Speaker.

TAMMY LETZLER,  
Chief Clerk

**REPORT OF DEPUTY CHIEF CLERK**

March 21, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 1495, 1591, 1670, 1776, 1800, 1815, 1870, 1899, 1973, 2017, 2096, 2239, 2241, 2242, 2246, 2342, 2514 and 2530; for his action.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**REPORT OF DEPUTY CHIEF CLERK**

March 22, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 264, 727, 1487, 1510, 1515, 1573, 1656, 1665, 1729, 1774, 1995, 2071, 2101, 2141, 2468, 2472, 2497, 2661, 2667, 2725 and 2728; for his action.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**REPORT OF DEPUTY CHIEF CLERK**

March 22, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 525, 657, 658, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 723 and 724; for his action.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**REPORT OF DEPUTY CHIEF CLERK**

March 22, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolution No. 777, for his action.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**MESSAGE FROM THE GOVERNOR**

March 21, 2018

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 108, 722 and 729; with his approval.

DWIGHT E. TARWATER,  
Counsel to the Governor

**MESSAGE FROM THE GOVERNOR**

March 22, 2018

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bill Nos. 1446, 1537, 1647, 1662, 1663 and 1718; with his approval.

DWIGHT E. TARWATER,  
Counsel to the Governor

**MESSAGE FROM THE GOVERNOR**

March 23, 2018

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 525 and 777, with his approval.

DWIGHT E. TARWATER,  
Counsel to the Governor

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, March 26, 2018: Senate Joint Resolutions Nos. 752, 753, 754, 755, 756, 757, 758 and 759; Senate Resolution No. 176; and House Joint Resolutions Nos. 869, 913, 914, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 935, 936, 937, 938, 939, 942, 943, 945, 946, 947, 948, 949, 950 and 951.

This the 23rd day of March, 2018  
ROBERTS, Chairperson

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, March 26, 2018: Senate Bills Nos. 1596, 1691, 1773, 1921, 1923, 2413, 2425, 2648 and 2707; Senate Joint Resolution No. 593; Senate Resolution No. 158; and House Joint Resolutions Nos. 712 and 723.

This the 23rd day of March, 2018  
ROBERTS, Chairperson

**REPORT OF COMMITTEE ON CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, March 26, 2018: Senate Joint Resolution No. 521; Senate Bills Nos. 1062, 1407, 1733, 1758, 1783, 1806, 1858, 1929, 1957, 1971, 1976, 1988, 2022, 2025, 2058, 2068, 2089, 2126, 2260, 2312, 2343, 2358, 2465, 2466 and 2583; Senate Joint Resolution No. 546; and Senate Bills Nos. 2662 and 2682.

This the 23rd day of March, 2018  
ROBERTS, Chairperson

**THURSDAY, MARCH 22, 2018 -- 62ND LEGISLATIVE DAY**

**REPORT OF COMMITTEE ON CALENDAR  
MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Monday, March 26, 2018: Senate Bills Nos. 1757, 1905, 1967, 2264 and 2685.

This the 23rd day of March, 2018  
ROBERTS, Chairperson

**ADJOURNMENT**

Senator Norris moved the Senate adjourn until 4:00 p.m., Monday, March 26, 2018, which motion prevailed.